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THE

Connecticut (Colony)

PUBLIC RECORDS

OF THE

COLONY OF CONNECTICUT,

FROM MAY, 1762, TO OCTOBER, 1767, INCLUSIVE.

TRANSCRIBED AND EDITED IN ACCORDANCE WITH A RESOLUTION OF THE GENERAL ASSEMBLY.

BY CHARLES J. HOADLY,

STATE LIBRARIAN.

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PREFATORY NOTE.

This book contains the remaining portion of volume IX of the Public Records of the Colony of Connecticut, from page 447, and also pages 1 to 310, inclusive, of volume X of the same series.

It is not known that the Journals of either House of the General Assembly are extant for any of the six years covered by this publication. The Journal of the Governor and Council has also disappeared.

Appended is the book of *Reasons why the British Colonies in America should not be charged with Internal Taxes by authority of Parliament*, to which reference is made on pages 256 and 299 of this volume. Governor Fitch was the principal compiler and draughtsman of it, as Mr. Ingersoll informs us. The original edition was of five hundred copies, and Mr. Ingersoll took one hundred and twelve with him to England.

After 1762, it does not appear that the General Assembly appointed a committee to hear the records read off and to see them signed by the Secretary as perfect and complete. It is evident that considerable portions of the record were not compared with the original bills, and this may account for various errors and omissions. The editor has endeavored to supply the omissions from the files, and what has been supplied is enclosed in brackets.

C. J. H.

October 29th, 1881.

THE PUBLIC RECORDS

OF THE

COLONY OF CONNECTICUT.

[VOLUME IX., PAGE 447.]

Anno Regni Regis Georgii tertii secundo.

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY (BEING THE THIRTEENTH DAY OF SAID MONTH) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE EIGHTH DAY OF JUNE NEXT FOLLOWING, ANNOQUE DOMINI 1762.

Present:

The Honourable Thomas Fitch, Esq^{r}, *Governor.*

The Hon^{ble} William Pitkin, Esq^{r}, *Deputy Governor.*

Ebenezer Silliman,	Daniel Edwards,	Esq^{rs}, *Assistants.*
Jonathan Trumble,	Jabez Hamlin,	
Hezekiah Huntington,	Matthew Griswold,	
Andrew Burr,	Shubael Conant,	
John Chester,	Elisha Sheldon,	
Benjamin Hall,		

Representatives or Deputies who attended this Assembly are as follow, viz:

Col. Samuel Talcott, Maj. William Pitkin, for Hartford,
Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.
Capt. Jeremiah Miller, Major Charles Bulkly, for New London.
Mr. David Rowland, Mr. David Burr, jun., for Fairfield.
Mr. Samuel Gray, Col. Eliphalet Dyer, for Windham.
Col. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.
Capt. Jabez Huntington, Mr. Ebenezer Backus, for Norwich.
Col. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.
Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.

Capt. Jabez Sherwood, for Greenwich.
Capt. John Fowler, Mr. Robert Treat, for Milford.
Capt John Strong, Mr. Isaac Lee, jun., for Farmington.
Mr. Cyrus Marsh, Mr. Nathan Eliot, for Kent.
Mr. Bushnel Bostwick, Mr. Amos Northrup, for New Milford.
Capt. Samuel Kent, Mr. William King, for Suffield.
Mr. John Everts, Capt. Josiah Stoddard, for Salisbury.
Mr. William Gould, Mr. Barnabas Mulford, for Branford.
Mr. Josiah Convers, Mr. David Orcutt, for Stafford.
Mr. Simeon Minor, Capt. Joseph Dennison, for Stonington.
Mr. Daniel Booth, Mr. Richard Fairman, for New Town.
Capt. Alexander Phelps, Mr. John Phelps, for Hebron.
Capt. Jonathan Hale, Mr. William Wells, for Glassenbury.
Col. Joseph Spencer, for East Haddam.
Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.
Mr. Charles Whittlesey, Capt. Samuel Hull, for Wallingford.
Mr. John Cook, for Torrington.
Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.
Mr. Joseph Sexton, for Somers.
[448] Mr. Zebulon West, Capt. Joshua Wills, for Tolland.
Mr. Luther Gay, Mr. Ebenezer Learned, for Killingsly.
Mr. Joshua Pierce, Mr. Thomas Russell, for Cornwall.
Capt. Samuel Pettibone, Capt. Moses Lyman, for Goshen.
Capt. Nehemiah Lyon, Mr. Ebenezer Smith, jun., for Woodstock.
Mr. Joseph Strong, Mr. Phineas Strong, for Coventry.
Mr. Benjamin Chaplin, Mr. Edward Freeman, for Mansfield.
Capt. Abel Gun, Capt. Samuel Basset, for Derby.
Col. Elihu Chauncey, Capt. James Wadsworth, for Durham.
Capt. Elijah Worthington, Mr. Dudley Wright, for Colchester.
Mr. Joseph Platt, for Norwalk.
Mr. Hezekiah Brainard, for Haddam.
Capt. Benjamin Talcott, Mr. David Strong, for Bolton.
Mr. Comfort Starr, for Danbury.
Mr. Edward Collins, Capt. Joseph Olmsted, for Enfield.
Capt. Timothy Judd, Mr. John Lewis, for Waterbury.
Mr. John Lay 2d, Mr. Samuel Seldon, for Lyme.
Col. David Whitney, Capt. Charles Burrel, for Canaan.
Capt. John Williams, Mr. John Pardy, for Sharon.
Capt. Thomas Stevens, Capt. John Douglas, for Plainfield.
Capt. Benjamin Sumner, Mr. Elijah Whiton, for Ashford.
Capt. Joshua West, Capt. Ignatius Barker, for Lebanon.
Mr. Hezekiah Humphry, Mr. John Case, for Symsbury.
Mr. Daniel Sherman, Col. Benjamin Hinman, for Woodbury.
Capt. Abijah Catling, for Harwington.

Mr. John Gordon, Capt. Robert Dixon, for Voluntown.
Capt. Josiah Bissell, Capt. Erastus Wolcott, for Windsor.
Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.
Col. Timothy Stone, Mr. Nathaniel Hill, for Guilford.
Capt. Jonathan Belding, Capt. Elisha Williams, for Weathersfield.
Col. Christopher Avery, Capt. Moses Fish, for Groton.
Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.
Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.
Col. Samuel Coit, Capt. William Witter, for Preston.
Capt. John Pierson, Mr. Joseph Eliot, for Killingworth.
Capt. Jabez Huntington, Speaker } of the House of Repre-
Mr. Abraham Davenport, Clerk } sentatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and [449] count them; (which persons so appointed were,)‖ Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Matthew Griswold, Shubael Conant, Elisha Sheldon, Esq^rs, Col. Samuel Talcott, Capt. Erastus Wolcott, Mr. Samuel Bishop, Capt. James Wadsworth, Mr. Simeon Minor, Col. Christopher Avery, Mr. David Burr, jun., Mr. Comfort Starr, Mr. Samuel Gray, Capt. Jabez Fitch, Capt. John Williams, and Col. Ebenezer Marsh, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Thomas Fitch, Esq^r, is chosen Governor of this Colony for the year ensuing.

The Hon^ble William Pitkin, Esq^r, is chosen Deputy Governor of this Colony for the year ensuing.

Ebenezer Silliman, Esq^r, Jonathan Trumble, Esq^r, Hezekiah Huntington, Esq^r, Andrew Burr, Esq^r, John Chester, Esq^r, Benjamin Hall, Esq^r, Daniel Edwards, Esq^r, Jabez Hamlin, Esq^r, Matthew Griswold, Esq^r, Shubael Conant, Esq^r, Elisha Sheldon, Esq^r, Eliphalet Dyer, Esq^r, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq^r, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^r, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony,

and the oath required by act of Parliament, relating to Trade and Navigation, were administred (in presence of the Assembly) by the Hon^ble^ William Pitkin, Esq^r^, Deputy Governor, to the Hon^ble^ Thomas Fitch, Esq^r^, now chosen Governor.

The Hon^ble^ William Pitkin, Esq^r^, now chosen Deputy Governor, had the Deputy Governor's oath prescribed by law administred to him by his Honour the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administred by his Honour the Governor to Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Matthew Griswold, Shubael Conant, Elisha Sheldon, and Eliphalet Dyer, Esq^rs^, now chosen Assistants.

The Treasurer's oath prescribed by law was administred by his Honour the Governor to Joseph Talcott, Esq^r^, now chosen Treasurer.

The Secretary's oath prescribed by law was administred by his Honour the Governor to George Wyllys, Esq^r^, now chosen Secretary, in the presence of the Assembly.

Ordered, That Elisha Sheldon, Esq^r^, and Mr. Daniel Sherman return the thanks of this Assembly, to the Rev^d^. Mr. Joseph Bellamy, for his sermon delivered before the Assembly on the 13th instant, and desire a copy thereof, that it may be printed.

This Assembly do appoint the Hon^ble^ William Pitkin, Esq^r^, to be Chief Judge of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq^r^, Daniel Edwards, Esq^r^, Benjamin Hall, Esq^r^, and Robert Walker, Esq^r^, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r^, to be Judge of the County Courts in and for the County of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq^r^, to be Judge of the County Courts in and for the County of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r^, to be Judge of the County Courts in and for the County of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq^r^, to be Judge of the County Courts in and for the County of Fairfield the year ensuing.

[450] This Assembly do appoint Jonathan Trumble, Esq^r^,

to be Judge of the County Courts in and for the County of Windham the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the County Courts in and for the County of Litchfield the year ensuing.

This Assembly appoints Daniel Edwards, Esq^r, Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly appoints John Hubbard, Esq^r, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly appoints Gurdon Saltonstall, Esq^r, Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly appoints Andrew Burr, Esq^r, Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly appoints Jonathan Trumble, Esq^r, Judge of the Court of Probate for the district of Windham the year ensuing.

This Assembly appoints Jabez Fitch, Esq^r, Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly appoints Timothy Stone, Esq^r, Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly appoints Daniel Sherman, Esq^r, Judge of the Court of Probate for the district of Woodbury the year ensuing.

This Assembly appoints Jonathan Hoit, Esq^r, Judge of the Court of Probate for the district of Stamford the year ensuing.

This Assembly appoints Joseph Spencer, Esq^r, Judge of the Court of Probate for the district of East Haddam the year ensuing.

This Assembly appoints Ebenezer Marsh, Esq^r, Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly appoints Thomas Benedict, Esq^r, Judge of the Court of Probate for the district of Danbury the year ensuing.

This Assembly appoints Hezekiah Huntington, Esq^r, Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly appoints Jabez Hamlin, Esq^r, Judge of the Court of Probate for the district of Middleton the year ensuing.

This Assembly appoints Ebenezer Williams, Esq^r, Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly appoints John Williams, Esq^r, Judge of the Court of Probate for the district of Sharon the year ensuing.

This Assembly appoints Zebulon West, Esq^r, Judge of the Court of Probate for the district of Stafford the year ensuing.

This Assembly appoints Joseph Pitkin, William Wolcott, Zebulon West, and Seth Wetmore, Esq^rs, to be Justices of the Peace and Quorum for the County of Hartford the year ensuing.

This Assembly do appoint Thomas Wells, Phineas Lyman, Joseph Talcott, George Wyllys, Thomas Hosmer, John Ledyard, Jonathan Hills, Samuel Talcott, Thomas Seymour, Daniel Bissell, Samuel Eno, Erastus Wolcott, Elizur Goodrich, Jonathan Belding, Elisha Williams, Joseph White, Joseph Southmaid, Nathaniel Chauncey, Joseph Hooker, John Hooker, Solomon Whitman, Jared Lee, Hezekiah Gridley, Joseph Hart, John Strong, Hezekiah Brainard, Joseph Wells, John Owen, Judah Holcomb, Jonathan Pettibone, Hezekiah Humphrey, Samuel Kent jun., Ephraim Terry, Jonathan Hale, John Kimberly, William Wells, Joseph Spencer, Daniel Cone, Daniel Brainard jun., Nathaniel Foot, Epaphras Lord, John Watrous, John Phelps, Samuel Gilbert, Alexander Phelps, Thomas Pitkin, Elisha Steel, Isaac Pinney, Samuel Reynolds, Abner Barker, Josiah Bissell, and Matthew Talcott, Esq^rs, to be Justices of the Peace for the county of Hartford the year ensuing.

[451] This Assembly do appoint John Hubbard, Elihu Chauncey, Timothy Stone, and Thomas Darling, Esq^rs, to be Justices of the Peace and Quorum for the County of New Haven the year ensuing.

This Assembly do appoint Samuel Sherman, John Whiting, Samuel Sacket, Daniel Lyman, Roger Newton, Robert Treat, Nathan Baldwin, Joseph Woodruff, John Fowler, Samuel Basset, Samuel Riggs, Timothy Russell, Daniel Holebrook, Charles French, Thomas Clark, Thomas Matthews, Joseph Hopkins, Caleb Hummiston, Samuel Hall, John Hall the 2d, Elihu Hall, Ezekiel Rice, Caleb Merriman, Charles Whittlesey, James Wadsworth jun., Theophilus Rossetter, Samuel Robinson, Nathaniel Ruggles, John Grave, Jonathan Russell, Josiah Rogers, Samuel Barker, James Barker, William Hoadly, Nathaniel Hill, Esq^rs, Justices of the Peace for the county of New Haven the year ensuing.

This Assembly appoints John Griswold, Christopher Avery, Richard Lord, Isaac Huntington, and Pygan Adams, Esq^rs, Justices of the Peace and Quorum in and for the county of New London for the year ensuing.

This Assembly do appoint Ebenezer Backus, Jabez Huntington, Humphry Avery, William Whiting, Jacob Perkins,

Ebenezer Hartshorn, Simon Tracy jun., Samuel Morgan, Samuel Coit, William Witter, Simeon Minor, Joseph Dennison, Samuel Prentice, Amos Cheesbrough, John Williams, Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Daniel Coit, Jeremiah Miller, William Hillhouse, Samuel Ely, John Lay jun., Benjamin Lee, George Dorr, Nathaniel Clark, Jedidiah Chapman, John Tulley, Hezekiah Whittlesey, Benjamin Gale, Elnathan Stephens, Joseph Wilcocks, Aaron Eliot and John Richards, Esq^{rs}, Justices of the Peace in and for the county of New London the year ensuing.

This Assembly appoints Jonathan Hoit, David Rowland, Samuel Fitch and John Read, Esq^{rs}, Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint Robert Walker, Robert Fairchild, Agur Thomlinson, Ichabod Lewis, Samuel Adams, Theophilus Nichols, James Walker, William Burr, Moses Dimon, Samuel Sherwood, Joseph Platt, Thomas Fitch jun., Elias Betts, Theophilus Fitch, Jonathan Maltbie, Abraham Davenport, Peter Mead, John Ferris, Samuel Olmsted, Samuel Smith the 3d, Thomas Benedict, Samuel Gregory, Comfort Starr, Ephraim Hubbel, Caleb Baldwin, Richard Fairman, Silas Betts, and David Burr, jun., Esq^{rs}, Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly appoints Shubael Conant, John Dyar, Jabez Fitch and Joshua West, Esq^{rs}, Justices of Quorum for the county of Windham the year ensuing.

This Assembly do appoint John Dyar, Jabez Fitch, Joshua West, Jonathan Huntington, Nathaniel Huntington, Stephen Fuller, Samuel Gray, Jedidiah Elderkin, Nathaniel Wales jun^{r}, Joseph Clark, William Metcalf, William Williams, Joseph Strong jun^{r}, Phineas Strong, Joseph Storrs, Amos Babcock, Elijah Whiton, Ebenezer Wales, Samuel Chandler, Nathaniel Child, Ebenezer Smith jun^{r}, Samuel Danielson, Jacob Dresser, Thomas Moffit, Timothy Sabin, Ebenezer Williams, Thomas Williams, William Osgood, John Grosvener, Samuel Huntington of Canterbury, John Curtice, Benjamin Wheeler, Robert Dixson, John Smith, and Jeremiah Keeney, Esq^{rs}, Justices of the Peace in and for the county of Windham the year ensuing.

[452] This Assembly appoints Ebenezer Marsh, Increase Moseley, Daniel Sherman, and Bushnel Bostwick, Esq^{rs}, Justices of the Peace and Quorum for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Timothy Collins,

Jacob Woodruff, Daniel Everit, Elisha Stoddard, Benjamin Hinman, Tilley Blakeley, Paul Welch, John Hitchcock, Timothy Hatch, John Ransom, Daniel Lee, Nathan Eliot, John Patterson, David Whitney, John Beebe, John Beach, Samuel Pettibone, John Cook, Cyprian Webster, Abijah Catling, Isaac Kellogg, Matthew Gillet, Michael Humphry, Daniel Griswold of Sharon, John Hutchinson, James Landon, Isaac Baldwin, Moses Lyman, Thomas Russell and Epaphras Sheldon, Esq^{rs}, Justices of the Peace for the county of Litchfield the year ensuing.

An Act for the more speedy Issuing of Law Suits wherein Auditors are appointed.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future there shall not be allowed any remove, either by review or appeal, from a judgment rendered in any of the county or superior courts in this Colony upon the return and acceptance of an award of auditors; any law, usage or custom to the contrary notwithstanding.

An Act for Alteration and Amendment of the Law entituled An Act for the Directing and Regulating of Civil Actions.

Whereas in and by said act it is provided and enacted, that in case any process be duly served on any defendant or defendants and return thereof made to the court to which the same is made returnable, then if such defendant or defendants do not appear, his or their default shall be recorded and judgment entred up against him thereupon, unless before the jury be dismist he or they shall come into court and move for a trial, in which case he or they shall be admitted thereto upon paying down to the adverse party the cost to that time, whereby bills of cost in defaulted cases are greatly inhansed: Which to prevent,

It is now enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future no defendant or defendants defaulted as aforesaid shall have liberty to revive any such action unless he or they shall come into court and move for a trial on or before the second day of the sitting of said court and pay down to the adverse party the cost to that time arisen: any law, usage or custom to the contrary notwithstanding.

An Act to regulate the Making up of Bills of Cost.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future no cost shall be allowed for travel to get a writ or to carry the same to an officer; any law, usage or custom to the contrary notwithstanding.

[453] An Act for Altering the Fees of the Superior Court and for Advancing the Wages of the Judges of said Court.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future the fee for trying any action in the superior court (exclusive of all such fees as are already stated by law for the clerk or jury) shall be the sum of twenty shillings; and for each confession or default the sum of ten shillings.

Be it further enacted by the authority aforesaid, That there shall be allowed and paid out of the treasury of this Colony to the judges of said superior court as follows, *viz:* To the chief judge eighteen shillings, and to each assistant judge seventeen shillings *per diem*, as a recompence for their service.

An Act for reviving an Act of this Assembly made and passed in their Sessions in May last entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in October last, that the aforesaid act should continue in force until the rising of this Assembly, and no longer, Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act, entituled An act in further addition to the law entituled An act providing in case of sickness, be revived, and the same is hereby revived in every part and paragraph thereof, and to continue and be in force until the rising of this Assembly in October next, and no longer.

An Act for appointing the Brand for Horses in the Town of Norfolk.

It is ordered and enacted by this Assembly, That the brand for horses in and for the town of Norfolk be the following figure, *viz:*

This Assembly do establish Mr. James Morgan to be Captain of the company or trainband in the east division of the parish of Reading in the 4th regiment in this Colony.

This Assembly do establish Mr. Daniel Lyon to be Lieutenant of the company or trainband in the east division of the parish of Reading in the 4th regiment in this Colony.

This Assembly do establish Mr. Henry Lyon to be Ensign of the company or trainband in the east division of the parish of Reading in the 4th regiment in this Colony.

This Assembly do establish Mr. Nehemiah Sanford to be Ensign of the company or trainband in the west division of the parish of Reading in the town of Fairfield.

This Assembly do establish Mr. Nathaniel Seely junr. to be Lieutenant of the company or trainband in the northern part of Stratfield and North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Messenger Palmer to be Lieutenant of the eastermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. James Lockwood to be Ensign of the eastermost company or trainband in the town of Greenwich.

[454] This Assembly do establish Mr. Abel Hall to be Ensign of the company or trainband in the northern part of Stratfield and North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. John Case to be Captain of the 3d company or trainband in Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. Francis Barnard to be Lieutenant of the 3d company or trainband in Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. Charles Case to be Ensign of the 3d company or trainband in Symsbury in the 1st regiment in this colony.

This Assembly do establish Mr. Joshua Hall to be Ensign of the north-east company or trainband in the first society in Wallingford.

This Assembly do establish Mr. Samuel May to be Quarter-Master of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Prentice to be Captain of the 2d company or trainband in Stonington.

This Assembly do establish Mr. Theophilus Baldwin, jun., to be Ensign of the 2d company or trainband in Stonington.

This Assembly do establish Mr. William Bott to be Captain of the company or trainband in the society of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. Jonathan Husted to be Lieutenant of the company or trainband in the society of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. James Talmadge to be Ensign of the company or trainband in the society of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. Noah Fowler to be Ensign of the 2d company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Daniel Gates to be Ensign of the 1st company or trainband in the town of Preston in the 8th regiment in this Colony.

This Assembly do establish Mr. David Smith to be Lieuten-

ant of the 1st company or trainband in Southington parish in Farmington.

This Assembly do establish Mr. Phineas Barns to be Ensign of the 1st company or trainband in Southington parish in Farmington.

This Assembly do establish Zebulon West, Esq^{r}, to be Captain of the south company or trainband in Tolland.

This Assembly do establish Mr. Joseph Lothrop to be Lieutenant of the south company or trainband in Tolland.

This Assembly do establish Mr. Solomon West to be Ensign of the south company or trainband in Tolland.

This Assembly do establish Mr. Samuel Chapman to be Captain of the north company or trainband in Tolland.

This Assembly do establish Mr. Elijah Chapman to be Lieutenant of the north company or trainband in Tolland.

This Assembly do establish Mr. Stephen Steel to be Ensign of the north company or trainband in Tolland.

This Assembly do establish Mr. Selah Dudley to be Ensign of the 9th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Michael Baldwin to be Lieutenant of the 9th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Timothy Shepard to be Ensign of the 1st company or trainband in Newtown in the 4th regiment in this Colony.

This Assembly do establish Mr. John Eliot to be Lieutenant of the 2d company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joseph Lumm to be Lieutenant of the 1st company or trainband in Derby.

This Assembly do establish Mr. Timothy Baldwin to be Ensign of the 1st company or trainband in Derby.

[455] This Assembly do establish Mr. Ezekiel Haze to be Quarter-Master of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. John Peters to be Captain of the company or trainband in the society of Gilead in the town of Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Ingham to be Lieutenant of the company or trainband in the society of Gilead in the town of Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Moses Thrall to be Captain of the 2d company or trainband in Bolton in the 1st regiment in this Colony.

This Assembly do establish Mr. Stephen Johns to be Lieutenant of the 2d company or trainband in Bolton in the 1st regiment in this Colony.

This Assembly do establish Mr. Philip Smith to be Ensign of the 2d company or trainband in Bolton in the 1st regiment in this Colony.

This Assembly do establish Mr. Thomas Belding to be Captain of the 3d company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Wells to be Lieutenant of the 3d company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. George Kilborn to be Ensign of the 3d company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Bliss to be Captain of the 6th company or trainband in Windsor in the 1st regiment in this Colony.

This Assembly do establish Mr. Timothy Perin to be Captain of the 16th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen Marcy to be Lieutenant of the 16th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Moses Chandler to be Ensign of the 16th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Thomas Loomis, jun., to be Captain of the company or trainband in the parish of Goshen in the town of Lebanon in the 12th regiment in this Colony.

This Assembly do establish Mr. John Whitney to be Lieutenant of the company or trainband in the parish of Goshen in the town of Lebanon in the 12th regiment in this Colony.

This Assembly do establish Mr. John Wattles, jun., to be Ensign of the company or trainband in the parish of Goshen in the town of Lebanon in the 12th regiment in this Colony.

This Assembly do establish Mr. Ignatius Barker to be Captain of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Israel Loomis to be Lieutenant of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Seth Wright to be Cornet of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Jonathan Smith to be Captain of the 4th company or trainband in Woodbury.

This Assembly do establish Mr. John Meigs to be Ensign of the 4th company or trainband in Woodbury.

This Assembly do establish Mr. Samuel Galpin to be Captain of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Richard Hubbard to be Lieutenant of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Watts Hubbard to be Ensign of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. William Church to be Captain of the 1st company or trainband in the parish of Millington in East Haddam.

[456] This Assembly do establish Mr. Joseph Cone to be Lieutenant of the 1st company or trainband in the parish of Millington in East Haddam.

This Assembly do establish Mr. Simeon Ackley to be Ensign of the 1st company or trainband in the parish of Millington in East Haddam.

This Assembly do establish Mr. Amos Camp to be Captain of the company or trainband in the parish of Merridan in Wallingford.

This Assembly do establish Mr. Ebenezer Cole to be Lieutenant of the company or trainband in the parish of Merridan in Wallingford.

This Assembly do establish Mr. Josiah Robinson, jun., to be Ensign of the company or trainband in the parish of Merridan in Wallingford.

This Assembly do establish Mr. Deliverance Woodward to be Ensign of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Jonathan Gurley to be Lieutenant of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Abraham Spafford to be Captain of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Obadiah Gore to be Lieutenant of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Ambrose Blunt to be Ensign of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Theophilus Baldwin to be Captain of the 1st company or trainband in New Milford.

This Assembly do establish Mr. Benjamin Gaylord to be Lieutenant of the 1st company or trainband in New Milford.

This Assembly do establish Mr. Sherman Boardman to be Ensign of the 1st company or trainband in New Milford.

This Assembly do establish Mr. Ebenezer Pitcher to be Lieutenant of the 5th company or trainband in Woodbury.

This Assembly do establish Mr. Gideon Hollister to be Ensign of the 5th company or trainband in Woodbury.

This Assembly do establish Mr. Zebadiah Ingalls to be Ensign of the 10th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Abraham Camp to be Lieutenant of the 1st company or trainband in the 1st society in the town of Norwalk in the 9th regiment in this Colony.

This Assembly do establish Mr Stephen Davis to be Ensign of the 1st company or trainband in the 1st society in the town of Norwalk in the 9th regiment in this Colony.

This Assembly do establish Mr. Robert Allyn to be Lieutenant of the 2d company or trainband in Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Ralph Stoddard to be Ensign of the 2d company or trainband in Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Ezra Gregory to be Quarter-Master of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Zerubbabel Jerom to be Ensign of the company or trainband in New Cambridge in Farmington in the 1st regiment in this Colony.

This Assembly do establish Mr. Jonathan Remington to be Captain of the 2d company trainband in the town of Suffield in the 1st regiment in this Colony.

This Assembly do establish Mr. John Levit to be Lieutenant of the 2d company or trainband in Suffield in the 1st regiment in this Colony.

[457] This Assembly do establish Mr. Moses Fish to be Captain of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Moses Robbins to be Lieutenant of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Jonathan Palmer to be Ensign of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joshua Raymond to be

Captain of the 3d company or trainband in New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Christopher Raymond to be Lieutenant of the 3d company or trainband in New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Amariah Hammond to be Ensign of the 3d company or trainband in New London in the 3d regiment in this Colony.

This Assembly do establish Mr. Silas Hamilton to be Captain of the 2d company or trainband in Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Thomas Stevens to be Lieutenant of the 2d company or trainband in Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Richard Bryan jun. to be Captain of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Isaac Clark to be Lieutenant of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Benjamin Bull to be Ensign of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. James Noyes to be Captain of the 1st company or trainband in Stonington in the 8th regiment in this Colony.

This Assembly do establish Mr. Thomas Stanton jun. to be Lieutenant of the 1st company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Jehiel Hawley to be Lieutenant of the 2d company or tr[illegible]band in New Milford.

This Assembly do establish Mr. Samuel Canfield to be Ensign of the 2d company or trainband in New Milford.

This Assembly do establish Mr. John Mix to be Ensign of the 5th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Abel Merrils to be Captain of the company or trainband in New Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Samuel Benham to be Lieutenant of the company or trainband in New Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Ely Flower to be Ensign of the company or trainband in New Hartford in the 1st regiment in this Colony.

This Assembly do establish Mr. Martin Kellogg to be Ensign of the 1st company or trainband in Suffield in the 1st regiment in this Colony.

This Assembly do establish Mr. Ephraim Wheeler to be Lieutenant of the 2d company or trainband in Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Daniel Judson to be Ensign of the 2d company or trainband in Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Samuel Kesson to be Captain of the 11th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Dixson to be Lieutenant of the 11th company or trainband in the 11th regiment in this Colony.

[458] This Assembly do establish Mr. John Dixson jun. to be Ensign of the 11th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Clark to be Lieutenant of the 3d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Samuel Carpenter to be Ensign of the 3d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Charles Churchil to be Captain of the 10th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Martin Kellogg to be Lieutenant of the 10th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Josiah Mack jun. to be Ensign of the company or trainband in the parish of Gilead in the town of Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Jonathan Humphry to be Captain of the 2d company or trainband in Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. Hezekiah Humphry to be Lieutenant of the 2d company or trainband in Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. Samuel Foot to be Ensign of the 2d company or trainband in Symsbury in the 1st regiment in this Colony.

This Assembly do establish Mr. David Orcutt to be Captain of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Timothy Edson jun. to be Lieutenant of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Blogget to be Ensign of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly appoints Ebenezer Williams, Esq^r, Lieutenant-Colonel of the 11th regiment in this Colony.

Whereas in compliance with his Majesty's pleasure, signified to his Honour the Governor by letter from the Earl of Egremont, one of his Majesties principal Secretaries of State, to influence and induce this Colony to raise recruits for the regular regiments in America, it was resolved by the General Assembly by special appointment of his Honour the Governor conven'd and holden at New Haven the 4th of March last, encouragement should be given to the number of five hundred and seventy-five effective men in this Colony, not under eighteen nor above forty years of age, to enlist themselves for said service, and that the sum of five pounds should be allowed and paid as a bounty to each man so enlisting and approved of by the King's Commander-in-Chief, in addition to the sum of five pounds New York money by his Excellency General Amherst promist to each such volunteer: This Assembly, still zealously attentive to his Majesty's said important service, and that no practicable expedient in furtherance thereof be neglected, do now resolve, that a further sum of forty shillings to each such effective man voluntarily to enlist as above-said be as a bounty allowed, drawn for and paid as aforesaid, in addition to said sum of five pounds granted in March last; and that such bounty be paid to all who shall so enlist by the fifteenth day of August next, unless the full and entire number of five hundred and seventy-five happen before said fifteenth of August to be inlisted for said service.

This Assembly appoints Capt. Nathaniel Farrand, of Milford, to be Surveyor of Lands in the county of New Haven.

This Assembly appoints Nathaniel Matson jun., of Lyme, to be a Surveyor of Lands within and for the county of New London.

[459] Upon the petition of Jeremiah Sherwood, Thomas Staples the 2d, and Humphry Ogden, all of Fairfield in Fairfield county, listers for the town of Fairfield the year 1761, representing to this Assembly that Joseph Wakeman of said Fairfield designedly left out of his list for said year rateable estate to the amount of one hundred and one pound, for which

estate the said Wakeman was fourfolded to the amount of £404; that the [said] Wakeman having made application to the authority and selectmen of said Fairfield for relief respecting said fourfolds, the same were by said authority and selectmen abated, under pretext and colour of a lease produced by said Wakeman of said estate to one John Hoag &c.; also representing that said lease was not *bona fide* made, but was fraudulently made, and that with a view to deprive the public of their dues and evade his, the said Wakeman's, paying his equitable part of the public tax; and that the said authority and selectmen were induced to give such abatement on supposition the said lease was honestly and *bona fide* made; that they were mistaken and erred in granting such abatement; and praying this Assembly to reverse and set aside the determination and judgment of said authority and selectmen in granting the abatement aforesaid: as per petition on file: Resolved by this Assembly, that the judgment, order and determination of said authority and selectmen, in abating said fourfold as aforesaid, be reversed and set aside, and that the said fourfold remain and abide good, and that the said Wakeman be still holden to pay the several taxes thereon.

Upon the petition of Daniel Winter, of Killingley, *vs.* Jared Mason of Stonington, representing that being indebted to said Mason the sum of £73 3*s.* 0*d.* money by execution, and being unable to pay the same, was necessitated to give a bill of sale of his cart, cattle, horses and hay to a great value, redeemable on payment of said debt; that being unable to pay the same the said estate was forfeited and sold by said Mason; that nevertheless he afterwards paid £47 0*s.* 3*d.* part of said debt, yet said Mason refused to return said estate or repay the overplus of said debt; praying an equitable determination of said case: Whereupon Messrs. Samuel Talcott, Erastus Wolcott and William Pitkin jun. were appointed committee to examine said case and report thereon, who have pursuant thereunto reported that there is due to said petitioner the sum of £21 15*s.* 6*d.* lawful money, which report is accepted and approved; as per petition, report &c. on file appears: Resolved by this Assembly and thereon decreed, that the said Daniel Winter shall have and recover of the said Jared Mason the said sum of twenty-one pounds fifteen shillings and six pence lawful money, and that execution go out therefor accordingly.

Upon the petition of Ezekiel Roberts of Stanford, representing that Anthony De Mill of said Stanford recovered judgment against him at Fairfield adjourned county court on the 3d Tuesday of April 1761, for the sum of £20 damage and

£2 12*s.* 9*d.* cost, in an action on articles of agreement, by writ dated November 22d, 1760; praying for a new trial on said case: Resolved by this Assembly, that Jonathan Hoit, Abraham Davenport and Jonathan Maltbie, Esq^rs, all of said Stanford, be appointed commissioners, and they are hereby appointed commissioners, to examine the matters of complaint in said petition and report their opinion of what shall be just and equitable therein, to the General Assembly of this Colony at their session in New Haven October next.

On the petition of John Eliot, late of New Haven now of the district of Spencer in the county of Worcester and Province of the Massachusets Bay, complaining that Ebenezer Mix, of Hartford in the Colony of Connecticut, preferred his [460] petition to the General Assembly at || their sessions in October last against him; therein alledging that on the 23d day of June, A.D. 1760, said Eliot proposed to sell said Mix certain lands in Wallingford unsight unseen, and affirming to said Mix he was ignorant of the value and quality of said lands of which said Mix also represented to said Assembly his total ignorance, and that said Mix was induced by said Eliot's declaration, to offer him forty shillings per acre for the same; that said Eliot with Lydia his wife made and executed to said Mix an ample deed thereof soon after, for payment whereof said Mix executed to said Eliot three several notes of hand for the sum of £426 13*s.* 4*d.* each; and said Mix also therein alledging that said Eliot, at the time of his affirmation aforesaid, well knew the real and true value of said lands, who concealed the same from said Mix and thereby obtained said agreement by fraud and circumvention, well knowing said land was not then worth more than half the sum so secured to be paid; and that said Assembly did decree and order that said deed should be by said Mix delivered up to said Eliot and that said notes should not be recoverable in law, the said contract and bargain being by said Assembly declared to be fraudulent on the part of said Eliot. And the said Eliot now representing to this Assembly that since said decree of said Assembly in October last he had happily discovered new and unexpected evidences that said Mix, soon after said first proposal and agreement about said lands and before executing and passing the deed and notes aforesaid, did enquire of divers and sundry persons of and concerning the situation, value and quality of the same lands and did obtain satisfactory information of the real and true state and estimation of some considerable pieces of said lands as samples of the whole; and said Eliot also alledging that he had

never seen said lands; praying that said decree may be reversed, annulled and set aside, as per his petition or bill of review on file. And the parties being fully and largely heard by their council, with the evidences relative to said matters referred to in said petition: This Court is of opinion, that the matters contained in the petition of review of said John Eliot are sufficiently proved. And this Court do thereupon decree, order and resolve, that the said judgment, decree and determination of the General Assembly in October last, founded on the said petition of Ebenezer Mix against said John Eliot, above-mentioned and referred to, be and the same is hereby reversed and set aside.

Upon the petition of James Tilly of New London, *vs.* Ichabod Rogers &c., brought to the General Assembly held at New Haven in October last, Messrs. Christopher Avery, of Groton in New London county, Esq^{r}, Jeremiah Miller, Esq^{r}, Mr. David Gardner, both of New London in said county, were appointed commissioners to hear and report &c. to this Assembly. Since October sessions said commissioners have not had opportunity to accomplish said business, and now the parties move to this Assembly that the said commissioners may be reappointed to hear said parties and thereof judge and report to this Assembly in October next: Resolved by this Assembly, that Christopher Avery, Esq^{r}, of Groton in said New London county, Jeremiah Miller, Esq^{r}, Mr. David Gardner, both of New [461] London, are appointed commissioners to examine || into the circumstances of said estate and all matters relative to the settlement thereof, and to inquire what debts have been paid or satisfied or still remain due from said estate, and whether and what assets remain in the hands of the administrator for payment thereof, and all things tending to the just and equitable settlement of said estate, and make report of what they shall find in the premises with their opinion thereon to this Assembly in October next, to which time said petition is continued.

Upon the report of Zebulon West, Joseph Strong jun. and William Wells, Esq^{rs}, a committee appointed by this Assembly in May, 1761, to set up, affix and ascertain the bounds dividing between the town of Stafford and the town of Union, reporting that, pursuant to their said appointment they had, on the 21st day of September, 1761, heard the parties concerned by their committees from their respective towns on the controversy about said divident line, and were [of] opinion that the line called Farrar's Line is the true line between said towns, which began at the two chestnut trees for Stafford

southeast corner and extended north 31 degrees and 30 minutes east to the Colony line; and that in running said line they began at said southeast corner bounds of Stafford and run north 31 degrees 30 minutes east, (allowing for the variation of the compass,) crossing the corner of Ashford, where at the north line of said Ashford they made a large heap of stones eighty-eight rods easterly from the northwest corner bounds of Ashford, a little eastward of a swamp and about three rods west of a large cloven rock, thence running the same point north 31 degrees and 30 minutes east three miles and twenty-five rods, making heaps of stones at the end of every eighty rods, to the west line of the land belonging to the original proprietors of Union; then altering the course and running north nine degrees east, (allowing for the variation of the company [*compass*]) in the west line of the land of the said Union proprietors one mile and three quarters and fifty-four rods to a heap of stones in the Colony line,the reputed north west corner bounds of the town of Union, making heaps of stones at the end of every eighty rods in said line; and that the line so run from the north line of Ashford to the Colony line and the monuments so fixed are the bounds between said towns, &c.: which report of said committee being accepted and approved by this Assembly: It is thereupon resolved and decreed by this Assembly, that the line so run and the bounds and monuments so ascertained and affixed by said committee, from the north bounds of Ashford to the Colony line, is and shall be hereafter deemed, known and taken to be the true bounds between the said town of Stafford and the said town of Union.

[462] Upon the memorial of Timothy Judd, Thomas Porter, George Nichols, &c., selectmen of Waterbury, shewing to this Assembly that one Joseph Lewis of said Waterbury is distracted and void of prudence, and that no person can be persuaded to take conservatorship of said Lewis and his estate; and that the said Lewis hath no personal estate, and the said town having expended for the support of said Lewis the sum of £25 15*s.* 1*d.* lawful money, praying for liberty to sell so much of the real estate of the said Lewis as to pay said debt with charges of sale; as per memorial on file, &c.: Resolved by this Assembly, that Timothy Judd, Thomas Porter, George Nichols, Phineas Royce, Samuel Hickcox Jun. and Andrew Bronson, or the major part of them, have liberty and they are hereby impowered, to sell so much of the real estate of the said Lewis as to answer said sum of £25 15*s.* 1*d.* with incident charges; taking direction of the probate court of the district of New Haven therein.

Upon the memorial of Jonas Prentice, Benjamin Clark, John Williams, James Noyes, Samuel Minor, Amos Dennison and Samuel Hubbard Burdick, selectmen of the town of Stonington, shewing to this Assembly that one Sarah Goodwell, an idiot, one of the poor of the town and now in the care of and supported by the said town of Stonington and like so to be during her life, and that the said town hath already expended considerable sums of money for the support of the said Sarah, and that the said Sarah hath had fallen to her by the death of her father five acres of land in said Stonington; praying for liberty to sell said land for the support of the said Sarah; as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted to them, to sell the abovesaid five acres of land, and the money to be improved for the support of the abovesaid Sarah Goodwell.

Upon the memorial of Thomas Coverly, of Boston in the Province of the Massachusets Bay, and Abigail his wife, late Abigail Parkman, administratrix on the estate of her late husband Elias Parkman of said Boston, deceased, representing that she had been by his Majesties superior court of judicature held at said Boston on the 18th of August, 1761, impowered to make sale of the real estate of said deceased for payment of debts &c. to the amount of one hundred and thirteen pounds money; that in consequence thereof she had sold ninety-six acres of land at a place called Spencer in said Province, only for the sum £53 6*s*. 8*d*. and that there were other lands belonging to the estate of said deceased lying in the town of Pomfret in this Colony; and praying for liberty to sell the same &c., as per memorial on file: It is therefore resolved by this Assembly, that the memorialists be and they hereby are impowered, to make sale of so much of the real estate of the said deceased lying within this Colony as shall be [463] sufficient to pay ‖ and satisfy the sum of £59 13*s*. 4*d*. lawful money with the necessary charges of said sale; taking the advice and direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Nathan Benjamin, administrator on the estate of Joseph Benjamin late of the Province land west of Sheffield in the county of Hampshire in the Province of the Massachusets Bay, deceased, shewing that the debts due from the estate of said deceased surmount the moveable estate of said deceased the sum of one hundred and eleven pounds seven shilling and two pence lawful money, and that there is sufficient real estate of said deceased for that purpose situate in the town of Pomfret in this Colony: praying for liberty to

sell so much of the said real estate as shall be sufficient to pay said sum: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered to sell so much of the real estate of said deceased within this Colony as shall be sufficient to pay said sum with the incident charges of sale; taking direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Joel Hotchkiss and others, inhabitants of the northern parts of the parish of Amity in the town of New Haven, praying to be made a distinct ecclesiastical society with proper limits and bounds as set forth in said memorial, as per memorial on file: Resolved by this Assembly, that Elisha Sheldon of Litchfield, Daniel Sherman of Woodbury, and Moses Lyman of Goshen, Esq^rs, be and they are hereby appointed a committee, to repair to said parish, view the circumstances thereof together with the adjoyning lands, hear all parties, and make report of what they shall find in the premises with their opinion respecting the memorialists being made a distinct society &c., to this Assembly at their sessions at New Haven in October next.

Upon the petition of Sarah Durfey, of New London in the county of New London, administratrix on the estate of Richard Durfey late of said New London, deceased, shewing to this Assembly that George Richards of said New London brought his action of book-debt against said petitioner as administratrix aforesaid, and obtained final judgment therein against the estate of said deceased in the hands of said petitioner for the sum of £30 0*s*. 0*d*. lawful money debt and £7 10*s* 10*d*. lawful money cost, before the superior court held at Norwich in and for the county of New London on the fourth Tuesday of March, 1762; that said petitioner mistook her plea &c.; praying for a new trial in said action, &c., as per petition on file: Resolved by this Assembly, that said petitioner is hereby granted the liberty of another trial in said action at the superior court to be held at New London in and for the county of New London on the fourth Tuesday of September next, by way of review, and that the future cost only follow said new trial.

[464] *Resolved by this Assembly*, That Capt. Titus Hurlbut take into his care the Battery of New London together with all the stores thereto belonging, which are to remain under his care until the sessions of this Assembly in May next, and that he be commissioned accordingly. And the said Hurlbut is impowered to appoint some suitable person to be gunner thereof, and that on the first day of June next he

inlist or detach twenty men near said battery, to be under the command of said Hurlbut, to assist him in said battery; and that two of said men duly attend the said captain's command in their turn, to watch and ward in said battery, from the first day of June until the last day of November next; and that the men as they shall have leisure from other duty in their turn shall be employed in cleaning up the small arms and cutlasses that are in the said battery. And the said Hurlbut shall be allowed for his service nine pounds; that the gunner be allowed for his service two pounds, and that each man shall be allowed three shillings for his service per day, for each day he shall so watch and ward.

Whereas upon the application and desire of the committee appointed by the county court of New Haven county to build a State House in New Haven, that this Assembly would give some directions concerning the general construction and proportions of the rooms of said house so as to accommodate the public convenience, on which application this Assembly appointed a committee to consider and report their opinion respecting that matter, which committee have reported that they think it advisable that the rooms of said house intended for the use of the Assembly when sitting there be each of them of the same or nearly the same dimensions, and that there be a committee appointed by this Assembly to advise and direct the aforesaid building committee in all matters relative to the construction and finishing said house and all the accommodations thereof; which report being accepted and approved: Whereupon this Assembly appoint Jabez Hamlin, Robert Walker and Jared Ingersoll, Esq^rs, a committee to advise and direct in the premises, as abovesaid.

Upon the memorial of Daniel Pratt, of Glassenbury in the county of Hartford, representing that sometime about the year 1754, he had built and compleated a house near the ferry called Smith's Ferry, crossing Connecticut River from said Glassenbury to Weathersfield, accommodable for a ferryman to live in, there being no other house near said ferry, and that he held land on the east side said river at the place where said ferry was kept, and that in May, 1754, Richard Smith and Jedidthan Smith of said Glassenbury had, without his knowl-
[465] edge or privity intereeptingly represented that no person was appointed to keep said ferry, and had obtained liberty for themselves to keep and to take the fare of said ferry during the pleasure of said Assembly, to his damage and to disappointment of the memorialist and his views in building said ferry house, &c.: praying for the liberty of keeping said ferry

&c., as per memorial on file &c. : Resolved by this Assembly, that the memorialist from and after the rising of this Assembly shall have the sole liberty and priviledge of keeping said ferry and of taking the fare thereof as by law prescribed ; and the same liberty and priviledge is hereby granted unto him during the pleasure of this Assembly.

Upon the memorial of Ephraim Coy, of Preston in the county of New London, shewing to this Assembly that he being a soldier in the service of this Colony in December last was sent with an express from Ticonderoga to Crown Point, and on his return by reason of the extremity of the season froze both his feet, whereby one of them is in a great measure lost and he thereby in a great measure rendered incapable to support himself by labour, &c.; praying for relief, as per memorial on file : This Assembly grants to the memorialist out of the public treasury of this Colony the sum of twenty pounds in bills of credit of this Colony, for his great misfortune while in the service of this Colony as abovesaid, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Stephen Butler of Saybrook, administrator on the estate of Jonathan Butler late of said Saybrook, deceased, shewing to this Assembly that the debts and charges exhibited to the court of probate for the district of Guilford and allowed by said court against the estate of said Jonathan Butler, deceased, surmount the whole inventoried moveable estate of said deceased the sum of £94 12*s*. 1½*d*., and that your memorialist hath nothing in his hand to pay the same ; praying that he, or some other meet person, may be impowered to sell so much of the real estate of said deceased as will pay and answer the said sum with incident charges thereon ; as per memorial on file : Resolved by this Assembly, that the said Stephen Butler have liberty and he is hereby appointed and impowered, to sell so much of the real estate of the said deceased as shall be sufficient to raise and answer the said sum of £94 12*s*. 1½*d*. with the incident charges arising on such sale ; taking the direction of the court of probate in the district of Guilford therein.

[466] Upon the memorial of Gurdon Saltonstall, of New London in the county of New London, and others, inhabitants of the said town of New London, representing said town of New London as being much exposed to the enemy in time of war ; that for the attainment of military skill a number of the inhabitants of said town had voluntarily formed themselves into an Artillery Company ; that the first and second companies in said town, out of which said artillery company is chiefly

formed, are large enough for three companies, and that to divide said companies by certain lines would not so fully promote military skill as the memorialists purpose; praying that said artillery company be made and established, according to the regulations and articles of agreement concluded upon by them and presented to this Assembly, into a separate and independent company: It is enacted and ordered, that said artillery company be established to be, and it is hereby made, a separate independent company, subjected to and under the regulations of the third regiment as the other companies are by law; and that said company during their continuance according to the regulation and articles of agreement concluded upon by them as aforesaid shall be and they are hereby exempted from doing duty in other companies to which they belonged before their enlistment into said artillery company: Provided that said enlistment shall not at any time exceed sixty-four men including officers, and that neither of said military companies shall be reduced by such enlistment into said artillery company to a less number than sixty-four men exclusive of officers.

Upon the memorial of Edward Cogswell jun., of New Milford, representing to this Assembly that on the 24th day of June, 1760, he was by Mr. Justice Ransom sentenced and adjudged to become bound in a recognizance of £50 0*s.* 0*d.* lawful money to the Treasurer of this Colony with a sufficient bondsman for his appearance at the superior court then to be held at Litchfield in said county on the last Tuesday of August saving two, to answer to such matters as should be then and there objected against him on the King's account, relating to his uttering false and counterfeit coin, knowing the same to be such, and that he, said Edward, and one Emerson Cogswell of said New Milford entered into a recognizance according to said judgment and order of said justice; at which superior court he, said Edward, appeared and had by the grand-jury an indictment against him found for making counterfeit and base coin with intent to utter &c.; and that he, said Edward, notwithstanding his being conscious of his own innocency, being young, naturally timorous, and destitute of friends at court, did upon a sudden surprise leave said court [467] without license, ‖ and thereupon said recognizance became forfeit; on which recognizance action hath since been brought and now pending in the law; and further representing what he, said Edward, did with regard to any making of false coin &c.; praying to this Assembly that he might have liberty of a trial of said matters in said indictment set forth

at the superior court next to be held at Litchfield, that his innocency might appear, or that the Assembly would in some other way grant relief to him, said Edward: Resolved by this Assembly, that if the said Edward Cogswell and Emerson Cogswell, or either of them, shall pay into the treasury of this Colony the sum of twenty five pounds lawful money by the 17th day of August next, and all cost arisen on said prosecution, bond, &c., that thereupon said bond be discharged, and the suit thereon pending be dismist.

On the memorial of Samuel Kent jun., Esq^{r}, administrator with the will annexed on the estate of Richard Austin late of Suffield, deceased, for liberty to sell real estate of the said deceased to the amount of £253 10*s*. 10*d*. lawful money, for the payment of debts due from said estate, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and it is hereby granted to said memorialist, to sell so much of the real estate of the said Richard Austin, deceased, as will raise said sum of £253 10*s*. 10*d*. lawful money, for the payment of the debts due from said estate, with incident charge of sale; taking the advice of the court of probate therein.

Upon the memorial of Ruth Andrus of Wallingford, administratrix on the estate of Daniel Andruss, a minor, late of said Wallingford, deceased, shewing to this Assembly that the debts due from the estate of the said deceast amounts to the sum of £10 6*s*. 0*d*. and that there is no moveable estate in said administratrix's hands to pay said debts withal, and praying for liberty to sell so much of the land of said deceast as shall enable said administratrix to pay said sum with incident charges arising on the sale of said land &c.: Resolved by this Assembly, that said administratrix have hereby liberty granted, to sell so much of the real estate of the said deceast, at the direction of the court of probate for New Haven district, as to enable her to pay said sum of £10 6*s* 0*d*. lawful money with the incident charges arising on such sale.

Upon the memorial of Joseph Arnold, of East Haddam in the county of Hartford, administrator on the estate of Abner Shipman, of Lyme in the county of New London, late deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £4 6*s*. 1*d*. lawful money; praying for liberty to sell lands &c., as per memorial on file [468] appears: || Resolved by this Assembly, that the memorialist be impowered, and he is hereby impowered, to make sale of so much of the real estate of said deceased as to pay and satisfy the said sum of £4 6*s*. 1*d*. lawful money together

with the incident charges arising on such sale; taking the directions of the court of probates for the district of New London therein.

Upon the memorial of Jemima Waterbury of Stamford, administratrix on the estate of Monmouth Lounsberry late of said Stamford, deceased, shewing to this Assembly that since liberty was granted by the General Assembly, in May 1760, for the sale of part of the real estate of the said deceased for the payment of debts then found due from said estate, other debts due from said estate have appeared and been allowed, amounting to £72 2*s*. 2*d*. lawful money, for the payment of which she hath no personal estate of the said deceased in her hands, and praying that some meet person may be appointed to sell so much of the real estate of said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that Thomas June jun., of said Stamford, have liberty and he is hereby impowered, to sell so much of the real estate of the said Monmouth Lounsberry, deceased, as will be sufficient to pay said sum of £72 2*s*. 2*d*. with the incident charges arising on such sale; taking directions of the court of probates in the district of Stamford therein.

On the memorial of Abigail Finch, of Stanford in Fairfield county, administratrix on the estate of Joseph Finch late of said Stanford, deceased, shewing to this Assembly that the debts and charges against the estate of said deceased surmount the personal estate of said deceased the sum of £30 9*s*. 9*d*. lawful money, and that the memorialist has nothing in her hands to pay and satisfy the same; praying for liberty to sell so much of the real estate of said deceased as will answer said sum with the incident charges arising thereon; as per said memorial: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the said memorialist, to sell so much of the real estate of said deceased as will raise said sum of £30 9*s*. 9*d*. lawful money with the incident charges arising thereon; taking the direction of the court of probate of the district of Stanford therein.

Upon the memorial of Mary Sturgis, administratrix on the estate of Gershom Sturgis late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his personal estate the sum of £46 1*s*. 7½*d*. and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum &c.: Resolved by this Assembly, that the said Mary Sturgis have liberty and she is hereby impowered, to sell so much of the [469] real estate ‖ of the said Gershom Sturgis, deceased, as

will be sufficient to pay and satisfy said sum of £46 1*s*. 7¼*d*. with the incident charges arising on such sale; taking directions of the court of probate in Fairfield district.

Upon the memorial of Martha Winton, executrix of the last will and testament of Andrew Winton late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his personal estate the sum of £52 18*s*. 8*d*. and that he, said deceased, made no other provision in his said last will for the payment of his debts than what his personal estate would answer; praying for liberty to sell so much of the real estate of the said deceased as will be sufficient to raise said sum &c.: Resolved by this Assembly, that the said Martha Winton have liberty and she is hereby impowered, to sell so much of the real estate of the said deceased Andrew Winton as will pay and satisfy said sum of £52 18*s*. 8*d*. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Joseph Gilbert and Deborah Gilbert, administrators on the estate of Thaddeus Gilbert late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his personal estate the sum of £33 13*s*. 1½*d*. and praying for liberty to sell so much of the real estate of the said deceased as will pay said sum &c.: Resolved by this Assembly, that the said Joseph Gilbert have liberty and he is hereby impowered, to sell so much of the real estate of the said Thaddeus Gilbert, deceased, as will be sufficient to pay and satisfy said sum of £33 13*s*. 1½*d*. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

On the memorial of Mary Woodford, executrix to the last will and testament of Samuel Woodford late of Farmington, deceased, for liberty to sell real estate of the said deceased for payment of debts due from said estate to the amount of £19 1*s*. 10¾*d*. lawful money, as per memorial on file: Resolved by this Assembly, that Jonathan Pettibone, Esq^r^, of Symsbury in the county of Hartford, make sale of so much of the real estate of the said deceased as will raise said sum of £19 1*s*. 6¾*d*. lawful money for the payment of said debt, with necessary charge of sale; to be sold by the advice of the court of probate in the district of Hartford.

On the memorial of John Diggins and Russel Kilborn, administrators on the unadministred estate of Thomas Kilborn late of Middleton, deceased, shewing to this Assembly

that the debts due from said estate surmount the moveable part thereof the sum of £78 7*s.* 2*d.* lawful money, and thereupon praying for liberty to sell estate &c., as per memorial [470] on file: || This Assembly grants liberty and hereby fully impowers the memorialists to sell so much of the real estate of said deceased as will procure the aforesaid sum of £78 7*s.* 2*d.* together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein; and to make and execute deed or deeds accordingly.

On the memorial of Jemima Hubbard of Middleton, administratrix on the estate of Solomon Hubbard late of Middleton, deceased, shewing to this Assembly that the debts due from the estate of said deceased, together with some allowances of necessaries made to the widow, surmount the moveable part of said estate the sum of £35 17*s.* 9*d.* lawful money, and thereupon praying for liberty to sell real estate &c., as per memorial on file: This Assembly grants liberty and hereby fully authorizes and impowers Mr. John Earl Hubbard of said Middleton, to sell so much of the real estate of said deceased as will procure the sum of £35 17*s.* 9*d.* lawful money, together with the incident charges arising on such sale; taking the directions of the court of probate for the district of Middleton therein; and to make and execute deed or deeds accordingly.

On the memorial of Hannah Baker, executrix of the last will and testament of Timothy Baker, late of Middleton in said Colony, deceased, shewing to this Assembly that the debts due from said estate with some allowance of necessaries to the widow surmount the moveable part thereof the sum of £32 8*s.* 1¼*d.*, thereupon praying for liberty to sell real estate, as per memorial on file: This Assembly grants liberty to the memorialist to sell so much of the real estate of said deceased as will procure the aforesaid sum of thirty-two pounds eight shillings and one penny farthing lawful money, together with the incident charges arising on such sale, taking the direction of the court of probate for the district of Middleton therein, and to make and execute deed or deeds accordingly.

Upon the memorial of Rebeccah Rice and John Austin, both of Wallingford, executors on the last will and testament of Gideon Rice late of said Wallingford, deceased, representing to this Assembly that the debts and charges allowed by the court of probate in the district of New Haven against the estate of said deceased with a small allowance to the widow surmount the whole inventoried moveable estate of said deceased the sum of £25 0*s.* 4½*d.*; that there is no provision

in said will for sale of lands for payment of debts &c.: praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum &c.; as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted to them, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £25 0*s*. 4¼*d*. with the necessary charges thereon; taking the direction of the court of probate in the district of New Haven therein.

[471] Upon the memorial of Esther Parsons of Wallingford, executrix of the last will and testament of John Parsons late of said Wallingford, deceased, representing to this Assembly that the debts and charges allowed against the estate of said deceased, with a small allowance to the widow, surmount the whole inventoried moveable estate of said deceased the sum of £61 17*s*. 5*d*., and that there is no provision in said will to sell lands for answering the same; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay and satisfy said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted her, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £61 17*s*. 5*d*. with the necessary charges thereon; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Ephraim Jackson and Eleazer Williams, administrators on the estate of William Williams late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount his personal estate the sum of £236 1*s*. 6*d*. and praying for liberty to sell so much of the real estate of the said deceased as will raise said sum &c.: Resolved by this Assembly, that the said Ephraim Jackson have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased William Williams as shall be sufficient to pay and satisfy said sum of £236 1*s*. 6*d*. with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Nathaniel Blanchard of Killingly, shewing to this Assembly that he for sundry years past hath been one of the steady attendants with one Mr. Wadsworth and his adherents, in said Killingly, and that he hath obtained a free vote of the first society in said Killingly giving their consent for him, the said Blanchard, to have the same priviledge of this Assembly which was granted to the said Mr.

Wadsworth and his adherents; praying to this Assembly to be freed from paying taxes already laid upon him since the 11th day Jan'ry, A.D. 1759, and that he may have the same priviledge allowed him for time to come as is already granted to said Wadsworth and his adherents; as per memorial on file: Resolved by this Assembly, that the said memorialist be released from the payment of any taxes or rate for supporting ministers or building meeting-houses demanded of him by the said [472] first society in Killingly since said 11th January, 1759, and also that the said Blanchard have and injoy for time to come all and singular of the priviledges and benefit &c. which this Assembly heretofore granted to the said Mr. Wadsworth and his adherents.

Upon the memorial of Jeremiah McComber of New Haven, conservator of the person and estate of Samuel Cooper late of New Haven, deceased, representing unto this Assembly that he had expended in supporting said Cooper the sum of £20 0*s*. 4*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges of such sale; as by the memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as shall be sufficient to pay said £20 0*s*. 4*d*. together with the incident charges of such sale, and make return of his doings unto the county court in the county of New Haven.

Upon the memorial of Joseph Webb of Stanford, administrator on the estate of Epenetus Webb late of said Stanford, deceased, shewing to this Assembly that since liberty was granted by the General Assembly in May, 1760, for sale of part of the real estate of the said deceased for the payment of debts then found due from said estate other debts have appeared and been allowed, amounting to the sum of £19 14*s*. 9*d*. for the payment of which he hath no personal estate of the said deceased in his hands, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum; as per memorial on file: Resolved by this Assembly, that the said Joseph Webb have liberty and he is hereby impowered, to sell so much of the real estate of the said Epenetus as will be sufficient to pay said sum of £19 14*s*. 9*d*. with the incident charges arising on said sale; taking the advice of the court of probate in the district of Stamford therein.

Upon the memorial of Joseph Deremier and Sarah his wife, of Derby, administrators on the estate of Samuel Washborn late of said Derby, deceased, shewing to this Assembly that

the debts due from said estate surmount the moveable estate the sum of £25 10*s*. 4½*d*. lawful money, and there being no moveables to pay said debt &c., praying for liberty to sell the real estate of said deceased, to pay said debt: Resolved by [473] this Assembly, that Joseph Hull jun. of Derby have || liberty, and liberty is hereby granted unto him and he is hereby impowered, to make sale of so much of the real estate of said deceased Samuel Washborn as shall raise the sum of £25 10*s*. 4½*d*. lawful money and the incident charges arising thereon: taking the advice of the court of probate in the district of New Haven therein.

Upon the memorial of Elisha Cornwall, administrator on the estate of Ebenezer Cornwall of Middleton, late deceased, representing that the debts of said deceased surmount the moveable part of his estate £193 3*s*. 1*d*. lawful money; praying for liberty to sell real estate &c.: Resolved by this Assembly, that liberty and authority is hereby granted to the memorialist to make sale of so much of the real estate of the said deceased Ebenezer as shall be sufficient to procure said sum of £193 3*s*. 1*d*. lawful money and the incident charges of sale; taking the advice of the court of probate for the district of Middleton therein.

On the memorial of Zaccheus Hanchet and Mary Hanchet, administrators on the estate of Zaccheus Hanchet late of Suffield in the district of Hartford, deceased, for liberty of sale of the real estate of the said deceased for payment of debts due from said estate, to the amount of £41 15*s*. 3½*d*., as per memorial &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted to the said Zaccheus Hanchet, administrator on the estate of the said deceased, to sell so much of the real estate of the said deceased as will raise said sum of £41 15*s*. 3½*d*. lawful money for the payment of said debts, with incident charges of sale; taking the advice of the court of probates in the district of Hartford therein.

Upon the memorial of Bathsheba Collins of Weathersfield, administratrix on the estate of Benjamin Collins late of said Weathersfield, deceased, shewing to this Assembly by the certificate of the clerk of the court of probate for the district of Hartford that the debts and charges due from the estate of the deceased, with some moveables necessary for the memorialist, surmount the moveable estate of the deceased the sum of £24 5*s*. 5*d*. lawful money, for the payment of which the memorialist hath no moveable estate to pay the same; praying that this Assembly would grant liberty to the memorialist

and Gurdon Goodrich of Weathersfield, or some other person, to make sale of so much of the real estate of the said deceased as will raise said sum of £24 5*s*. 5*d*. lawful money with incident charges arising thereon, taking the direction of the court of probate for the district of Hartford therein: Resolved by this Assembly, that the said Bathsheba Collins, the administratrix, and Gurdon Goodrich of Weathersfield have liberty, and liberty is hereby granted to them and fully impowered, to sell so much of the real estate of the deceased as will raise the said sum of £24 5*s*. 5*d*. lawful money with incident charges [474] arising thereon; taking || the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Bethiah Steel, administratrix on the estate of Jonathan Steel late of Farmington, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of said deceased the sum of fifty-four pounds six shillings, money; praying for liberty that she may with Mr. Thomas Stow jun. of Middleton sell so much of the real estate of said deceased as to make said sum with the incident charges &c.: Resolved by this Assembly, that the said administratrix have liberty, and she with the said Thomas Stow are hereby impowered to sell so much of the real estate of said deceased as to make said sum with the incident charges arising thereon; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Tabitha Dewolf of Middleton, administratrix on the estate of John Booth late of Middleton, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate of said deceased the sum of six pounds eighteen shillings and nine pence: praying for liberty to sell so much of the real estate of said deceased as to make said sum with the incident charges of sale &c., taking the advice of the court of probate for the district of Middleton: Resolved by this Assembly, that the said administratrix have liberty and she is impowered, to sell so much of the real estate of said deceased as to make said sum of £6 18*s*. 9*d*. with the incident charges thereon arising; taking the advice of the court of probate for the district of Middleton therein.

Upon the memorial of John Hall the 4th, of Wallingford, administrator on the estate of Abraham Hall late of Wallingford, deceased, representing to this Assembly that the debts exhibited and allowed by the court of probate in the district of New Haven against the estate of said deceased, other than those formerly allowed for the payment of which lands hath

been sold by act of Assembly, surmount the credits exhibited to said court the sum of £6 16*s.* 5*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him, to sell so much of the real estate of said deceased as will be sufficient to pay and satisfy said sum of £6 16*s.* 5*d.* with the necessary charges thereon; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Mary Durkee, of Pomfrit in the county of Windham, administratrix on the estate of Andrew Durkee late of said Pomfrit, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate of the said deceased the sum of [475] £21 3*s.* 4*d.* 3, lawful money, and praying for liberty‖ to sell so much of the real estate of the said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the said Mary Durkee have liberty, and liberty is hereby granted to the said Mary Durkee, to make sale of so much of the real estate of the said Andrew Durkee, deceased, as to make said sum of £21 3*s.* 4*d.* 3, lawful money, with the incident charges arising thereon; taking the direction of the court of probate for the district of Pomfrit therein.

Upon the memorial of William Roberts and Ann his wife, of Danbury, said Ann being administratrix on the estate of Andrew Sherwood late of said Danbury, deceased, representing to this Assembly that the debts due from said estate, together with a small allowance to the widow, surmounts the moveable estate the sum of £30 8*s.* 4¾*d.* lawful money: praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charges of such sale, taking the direction of the court of probate for the district of Danbury therein; as appears by the memorial on file: Resolved by this Assembly, that Mr. Thomas Brush of Newfairfield be impowered, and he is hereby fully impowered, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of £30 8*s.* 4¾*d.* together with the incident charges; taking the advice and direction of said court of probate.

Upon the memorial of James Cone, Ebenezer Spencer and John Mackall, selectmen of the town of East Haddam in the county of Hartford, representing to this Assembly that one Jonathan Hinkley of said East Haddam, being likely to come to want by mismanagement and bad husbandry, was by the

selectmen of said town with the advice of Joseph Spencer, Esq^r., a justice of peace for said county, in the year A. D. 1757, taken with his family into the care of said selectmen: that they accordingly proceeded to set up notifications and to take an inventory of said Hinkley's estate &c., according to the statute in that case made and provided, and that the said Hinkley was then much in debt and had several helpless children, which soon swallowed up all his personal estate, and that therefore the selectmen of said town have sundry times heretofore on their application to the Hon^ble Assembly obtained liberty for sale of some of the lands of said Hinkley, the last of which application was made at the General Assembly in May, A. D. 1761; and also further observed that the said Hinkley and his family still continue in the care of said selectmen, one of said children very expensive, being lame and very impotent, so that the charge of supporting said family from May, A. D. 1761, to the present time amounts to £17 lawful money, which together with 30*s.* lawful money [476] debts which have lately appeared and still due ‖ from said estate, which debts were contracted by the said Hinkly before he was taken into the selectmen's care, amounts in the whole to £18 10*s.* 0*d.* lawful money, and that there is no moveables belonging to said estate to pay any part of said debts; praying for liberty to sell lands &c., as per memorial appears: Resolved by this Assembly, that the said John Mackall be impowered, and he is hereby impowered, to make sale of so much of the real estate of said Hinkly as will be sufficient to satisfy said sum of £18 10*s.* 0*d.* together with incident charges; to be by the memorialists improved for the payment of said debts.

Upon the memorial of Israel Holly jun. and Hannah Holly, administrators upon the estate of Samuel Spafford late of Sharon in the county of Litchfield, deceased, shewing to this Assembly that the debts due from said estate with a small allowance made to the widow surmount the personal estate of said deceased the sum of £8 7*s.* 5*d.* 3, and praying for liberty to sell lands, as per memorial on file &c.: Resolved by this Assembly, that the said Israel Holly jun. have liberty, and liberty is hereby granted to him, to sell so much of the lands of said Samuel Spafford, deceased, as to procure said sum of £8 7*s.* 5*d.* 3, with the incident charges arising thereon; taking direction of the court of probate in the district of Sharon therein.

Whereas Jonathan Trumble and Joshua West, Esq^rs, were by the General Assembly of this Colony at their sessions in

May, 1760, appointed a committee to repair to the Mohegan and Indian lands in the township of New London, view the same and consider what new highways therein may be conveniently laid out &c., who thereupon, on the 10 and 11th days of September, 1760, repaired to said Mohegan and Indian lands, viewed the several highways &c., and their opinion thereon made and reported to the General Assembly at their sessions at New Haven in October, 1760, *viz:* That all the highways laid out within the said lands and allowed to be pent be within a reasonable time laid open by and at the expence of the several persons through whose lands such highways run, and so remain for the future, and that the same be forty feet in width &c.; which said report is so far approved and accepted: And thereupon resolved by this Assembly, that the several persons through whose lands said highways run be by such persons within six months laid open through each of their respective lands,* and at their own charge and [477] expence, at least forty feet in width, and that the same be and become open public highways; and said several persons are hereby ordered to lay open the same accordingly.

Upon the memorial of the inhabitants of the parish of Stanwich, shewing to this Assembly that Jonathan Palmer and others living in the southwesterly part of said parish north of the half mile line, so called, with their estates had been formerly annexed to the parish of Horsneck; further shewing, that most of the persons so set off as aforesaid are since dead and their estates come into the hands of other people living in said parish of Stanwich; also representing that the ministerial charges in said parish are much greater than those of the society of Horseneck &c.; praying to have the aforesaid estates &c. set back to said parish of Stanwich; as by the memorial on file: Resolved by this Assembly, that the several persons yet living abovementioned referred to, and all said estates north of said half mile line and within the general bounds of said parish of Stanwich shall be, and they are hereby, set back and shall belong to and be taxed in the said parish or society of Stanwich in like manner as the rest of the polls and rateable estate within the same, and shall not be any longer liable to be taxed in said parish of Horseneck.

Upon the memorial of Samuel Barns of New Haven, conservator of the person and estate of Moses Tuttle of said New Haven, representing to this Assembly that he had expended in supporting of said Tuttle the sum of £13 2*s.* 0*d.* lawful money; praying for liberty to sell so much of the real estate

*So in the original bill.

of said Tuttle as shall be sufficient to pay said sum together with the incident charges; as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said Tuttle as shall be sufficient to pay said £13 2*s*. 0*d*. with the incident charge of such sale, and make return of his doings unto the county court in the county of New Haven.

Upon the memorial of Abigail Ingham, of Durham in the county of New Haven, administratrix on the estate of Joseph Ingham of said Durham, late deceased, representing to this Assembly that the debts and charges exhibited by the said administratrix to the court of probate in the district of Middleton and allowed by the said court surmount the moveable part of the said estate the sum of £21 9*s*. 5*d*. lawful money, and praying for liberty to have so much of the real [478] estate of the said || deceased sold as will be sufficient to raise said sum and incident charges of sale &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted, for the selling of so much of the said real estate as prayed for; and Daniel Wright of said Durham is hereby appointed and fully impowered to make sale of so much of the real estate of the said deceased as shall amount to the said sum of £21 9*s*. 5*d*. together with the incident charges of sale; taking the advice of the court of probate in the district of Middleton therein.

Upon the memorial of Epenetus Weed of Stanford, administrator on the estate of John Slason jun. late of said Stanford, deceased, shewing to this Assembly that the debts &c. due from the estate of said deceased surmount the moveable estate of said deceased the sum of £54 13*s*. 3¼*d*. lawful money, and praying to this Assembly for liberty to sell so much of the real estate of said deceased as to make payment of said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to him, to sell so much of the real estate of said deceased as to make the aforesaid sum of £54 13*s*. 3¼*d*. lawful money, together with the incident charges arising thereon; taking the directions of the court of probates for the district of Stanford therein.

Upon the memorial of Charles French, Abel Gun and others, selectmen of Derby in the county of New Haven, representing that they have legally in their keeping and under their care John Smith of said Derby, his family and estate, upon the account of said John's idleness, mismanagement and

bad husbandry, and that the debts due from said John previous to his being so taken into care amounts to the sum of thirty-six pounds twelve shillings, and that there was not personal estate of the said John's to pay said debts; praying for liberty to sell lands therefor, as per memorial on file appears: Resolved by this Assembly, that the memorialists have liberty, and liberty and power is hereby given to them, to sell so much of the lands and real estate of the said John Smith as will be sufficient to answer said debts with the incident charges, and make and execute deed or deeds thereof accordingly.

On the memorial of Hannah Johnson of Lebanon, administratrix on the estate of Maverick Johnson late of said Leba- [479] non, deceased, shewing || that the debts and charges due on the estate of said deceased surmounts the inventoried moveable part thereof the sum of one hundred and twenty pounds in lawful money; praying for liberty to make sale of real estate of said deceased sufficient to raise and pay the said sum and incident charges &c., as by the said memorial on file: Resolved by this Assembly, that the said administratrix have liberty, and liberty and authority is hereby granted to her, to make sale of so much of the real estate of said Maverick Johnson, deceased, as shall be sufficient for raising and paying said sum of £120 0*s*. 0*d*. lawful money, with the incident charges; taking the direction of the court of probate for the district of Windham therein.

On the memorial of Eliphalet Woodworth and Anna Woodworth his wife, both of Lebanon, which said Anna is the sole executrix of the last will and testament of Samuel Lyman of Coventry, deceased, shewing that the debts and charges due from the estate of said Samuel Lyman surmount the inventoried moveable part thereof the sum of £28 18*s*. 5*d*., and no other provision than his moveable estate is made in and by his last will and testament for the payment of his debts; praying for liberty to make sale of real estate of said deceased sufficient for the payment of said debts; as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted unto them, to sell so much of the real estate of said deceased Samuel Lyman as shall raise the said sum of £28 18*s*. 5*d*. for payment of said debts; under the direction of the court of probate for the district of Windham.

On the memorial of Mary Rennals of Lebanon, administratrix on the estate of Thomas Rennals, deceased, shewing that the debts and charges due from the estate of said deceased

surmount the inventoried moveable part thereof the sum of thirty-three pounds six shillings and eight pence in lawful money; praying for liberty to make sale of real estate of said deceased sufficient to pay the said sum and incident charges &c., as by the said memorial on file: Resolved by this Assembly, that liberty be and is hereby granted to said administratrix, to make sale of so much of the real estate of said deceased Thomas Rennals as shall be sufficient for the payment of said sum of £3 6*s*. 8*d*. with the incident charges; taking the direction of the court of probate for the district of Windham therein.

Upon the memorial of Ezra Hawley and Mehitabel Treadwell, executors of the last will and testament of Hezekiah Treadwell late of Stratford, deceased, shewing to this Assembly that the debts due from the estate of said deceased sur-
[480] mount his personal estate ‖ the sum of £152 8*s*. 0*d*. lawful money, and that the said Hezekiah Treadwell made no other provision in his said will for the payment of his debts than what his moveable estate would answer, and praying for liberty to sell so much of the real estate of said deceased as will pay the sum aforesaid, &c.: Resolved by this Assembly, that the said Ezra Hawley have liberty, and he is hereby impowered, to make sale of so much of the real estate of the said Hezekiah Treadwell, deceased, as will be sufficient to pay and satisfy said sum of £152 8*s*. 0*d*. lawful money with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Deborah Osborn of Fairfield, executrix of the last will and testament of Samuel Cluckstone late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £25 9*s*. 2*d*. lawful money, and that the said deceased Samuel Cluckstone made no other provision in said last will for the payment of his debts than what his moveable estate would answer, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum &c.: Resolved by this Assembly, that Ephraim Osborn of said Fairfield have liberty, and he is hereby impowered, to sell so much of the real estate of the said Samuel Cluckstone, deceased, as will be sufficient to pay and satisfy said sum of £25 9*s*. 2*d*. lawful money with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Joel Griswold and Ezekiel Griswold, administrators on the estate of David Griswold late of Wind-

sor, deceased, representing to this Assembly that the debts and charges allowed by the court of probate for the district of Hartford, together with the necessaries set to the widow of the said deceased, surmount the moveable estate of said deceased the sum of £146 8*s*. 11*d*. lawful money; praying to this Assembly that some suitable person may be appointed to make sale of so much of the real estate of the said deceased as will procure the aforesaid sum with incident charges arising on said sale: Resolved by this Assembly, that liberty is hereby given to said Joel Griswold and he is hereby impowered, to make sale of so much of the real estate of the said deceased as will procure the sum of £146 8*s*. 11*d*. with the incident charges arising on said sale: taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Isaac Bull of Kent and Chickens Wallops, one of the Indians called Scaticooks: the said Indian praying liberty to sell a piece of rough unprofitable land [481] to him belonging, situate || in said Kent, near said Bull's house, containing in quantity about thirty acres, he being sick, impotent and unable to support himself; and said Bull praying liberty to purchase the same, as per memorial on file appears &c.: Resolved by this Assembly, that the said Chickens Wallops have liberty, and liberty and power is hereby granted to him, by and with the advice and direction of his overseer, Jabez Swift of said Kent, to sell and convey said land to said Isaac Bull or any other purchaser that shall offer; and said Bull or any other person is also hereby permitted to buy the same.

Upon the memorial of John Chamberlain, administrator on the estate of Samuel Fuller late of Colchester, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £72 7*s*. 8¾*d*. lawful money, and praying for liberty to sell so much of the real estate of said deceased as is sufficient to raise said sum with the incident charges arising: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to him, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

Upon the memorial of Mary Sabin, of Pomfret in the county of Windham, administratrix on the estate of Capt. Noah Sabin late of said Pomfret, deceased, shewing to this Assem-

bly that the debts due from said estate surmount the personal estate of the said deceased the sum of £108 2*s*. 4*d*. 2, lawful money, and praying for liberty [to sell] so much of the real estate of the said deceased as to make said sum; as per memorial on file: Resolved by this Assembly, that the said Mary Sabin have liberty, and liberty is hereby granted unto her, to make sale of so much of the real estate of the said Noah Sabin, deceased, as to make said sum of £108 2*s*. 4*d*. 2, lawful money, with the incident charges arising thereon: taking the direction of the court of probate in the district of Pomfret therein.

Upon the memorial of Oliver Fairchild of Newtown, conservator of the person and estate of Peninah Turner of said New Town, being *non compos mentis*, shewing to this Assembly that the expences paid for her support as allowed by the county court within and for the county of Fairfield is £54 7*s*. 1¼*d*. and that the said memorialist has paid £9 10*s*. 3*d*. of said debts with the said Peninah's personal estate, which is all the personal estate she has, and that there remains yet unpaid £44 16*s*. 10¼*d*. of said debts; therefore prays this Assembly to appoint himself, or some other meet person, to sell so much of the real estate of the said Peninah as may be sufficient to discharge said debts of £44 16*s*. 10¼*d*. with the incident [482] charges arising thereon, as per memorial on file: || Resolved by this Assembly, that the said Oliver Fairchild be impowered, and he is hereby impowered, to sell so much of the real estate of said Peninah Turner as may be sufficient to discharge said debts of £44 16*s*. 10¼*d*. with the incident charges of said sale.

Upon the memorial of Eliphalet Comstock, of Kent in the county of Litchfield, shewing to this Assembly that the dwelling-house of him, the said Eliphalet, was on the evening after the 23d day of April last past consumed to ashes, and amongst other things that the said Eliphalet had sundry paper bills on the Colony of Connecticut to the amount of £5 3*s*. 6*d*. 3, lawful money, consumed in the said fire, and praying to this Assembly to grant to him the said sum of £5 3*s*. 6*d*. 3, to be paid out of the treasury of this Colony: Resolved by this Assembly, that the said memorialist be allowed to receive the said sum of £5 3*s*. 6*d*. 3, lawful money, out of the public treasury of this Colony; and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Daniel Greenel and Mary Greenel, jun., administrators on the estate of William Greenell late of Saybrook, deceased, representing to this Assembly that the

debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £63 4*s*. 2¼*d*., and praying for liberty to sell so much of the real estate of said deceased as will raise said sum with the incident charges arising thereon: Resolved by this Assembly, that so much of the real estate of said deceased be sold; and Mr. Joseph Spencer of said Saybrook is hereby impowered to sell so much of the real estate of said deceased as will raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of Abraham Cruttenden, of Durham in the county of New Haven, shewing to this Assembly that the debts and charges due from the estate of John Cruttenden late of said Durham, deceased, exhibited to the court of probate for the district of Middleton and allowed by said court, surmount the moveable part of the estate of said deceased the sum of £60 18*s*. 1½*d*.; praying this Assembly to appoint and impower some meet person to make sale of so much of the real estate of said deceased as will raise said sum of £60 18*s*. 1½*d*. with the incident charges arising on said sale: Resolved by this Assembly, that liberty is hereby granted; and Capt. James Curtis jun. of Durham is appointed and impowered to make sale of so much of the real estate of said deceased as will raise said sum of £60 18*s*. 1½*d*. with the incident charges arising on said sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Daniel Osborn, of Fairfield in Fairfield county, conservator over Thaddeus Osborn of said Fairfield, [483] || a person *non compos mentis*, representing to this Assembly that he hath expended for the support of said Thaddeus Osborn the sum of twenty-nine pounds six shillings and five pence, which sum hath been allowed by the county court within and for the county of Fairfield; that the said Thaddeus hath no moveable estate wherewith to satisfy said sum or any part thereof; praying for liberty to sell so much of the real estate of said Thaddeus Osborn as will be sufficient to pay and satisfy said sum with the incident charges arising thereon &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said Thaddeus Osborn as will be sufficient to pay and answer said sum of twenty-nine pounds six shillings and five pence with the incident charges arising thereon.

Upon the memorial of Uriah Brigham, Stephen Brigham

and Catharine Carpenter, representing to this Assembly that Elnathan Brigham late of Mansfield, deceased, sometime before his death, while he was in perfect mind and memory, did settle his estate agreeable to his mind and will, in which settlement he, said Elnathan, made and executed sundry deeds of his lands to his children and grandchildren, mentioned and described in said deeds, some of which deeds the said Elnathan acknowledged before proper authority and gave to the grantees mentioned in said deeds, and that there remained at said settlement, *viz* on the 6th day of February 1754, three deeds made and executed by the said deceased to his children and grandchildren dated said sixth of February, which were through forgetfulness &c. never acknowledged by said Elnathan before proper authority: one of which deeds was made to said Uriah of about sixty acres of land lying in the southerly part of the township of Willington; one other of said deeds to said Stephen, conveying to him a certain parcel of land lying in the southerly part of the township of said Willington and the northerly part of the lot No. 9, containing one hundred and ten acres; the other deed is to Thomas Paul and Dinah Brigham, conveying to them all the said Elnathan's land lying in the town of Coventry, in Andover parish at a place called Bear-Swamp, said lands laid out in sundry divisions; reference to said deeds &c.; praying to this Assembly that said three deeds may be entered on the records of and in the several towns where said lands lye in the same manner as if the same had been acknowledged by the grantor before proper authority according to law, with the evidence on each of them indorst of their being duly executed, and that the town-clerks of each of said towns be ordered to enter the same in manner aforesaid, and that each of said three deeds, or copies thereof from said records, may be given in evidence and received as if the same had been acknowledged &c.: [484] Resolved by this Assembly, that said three deeds before-mentioned and described with the evidences thereon may be entered at large on the records of and in the towns where said lands (in said deeds described) do lye, and that the town-clerks of said several towns be and they are hereby ordered and directed to receive and enter at large on the records of said towns the said deeds when desired, in the same manner as if said deeds had been acknowledged before proper authority, and that said deeds and copies thereof properly attested shall be as good evidence in law as if said deeds had been acknowledged as is provided by the laws of this Colony.

Upon the memorial of Abigail Adams, administratrix on the estate of Capt. Samuel Adams late of Canterbury, deceased, shewing to this Assembly that the debts due from the estate of said deceased, charges &c., surmount the moveable estate of the deceased the sum of £98 4*s*. 9*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as to pay said sum of £98 4*s*. 9*d*. with the necessary charges arising thereon: Resolved by this Assembly, that the said memorialist have liberty, and liberty is hereby granted to her and she is impowered, to sell so much of the real estate of said deceased as to pay the said sum of £98 4*s*. 9*d*. lawful money, with the necessary charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

On the memorial of Hannah Traey, of Groton in New London county, administratrix on the estate of Sherebiah Tracy of said Groton, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of said deceased the sum of thirty-five pounds, fifteen shillings and ten pence ¾; praying that she, or some other suitable person, may be impowered to make sale of so much of the real estate of said deceased as to make said sum with the incident charges therein arising, taking the advice of the court of probate for the district of New London: Resolved by this Assembly, that liberty be granted, and Capt. Robert Geer of said Groton is hereby impowered to make sale of so much of the real estate of said deceased as to make said sum of £35 15*s*. 10¾*d*., with the incident charges thereon arising; taking advice of the court of probate for the district of New London therein.

Upon the memorial of Barzillia Handy, administrator on the estate of Abraham Hill late of Woodbury in Litchfield [485] county, deceased, ‖ shewing to this Assembly that the debts, charges and allowances against said estate surmount the moveable part of said estate the sum of £26 10*s*. 5*d*. lawful money, and praying for liberty to make sale of so much of the real estate of the said deceased as to make said sum, &c.; as per memorial on file: Resolved by this Assembly, that the said Barzillai Handy have liberty, and he is hereby impowered, to make sale of so much of the real estate of the said Abraham Hill, deceased, as to make said sum of £26 10*s*. 5*d*. lawful money, with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Benjamin Skiff, of Kent in the

county of Litchfield, shewing to this Assembly that his father in law, Mr. Joshua Lasell, of said Kent, since Samuel Pettibone, Esq^r., recovered judgment against him in favour of the Governor and Company at the adjourned county court held at Litchfield in January, 1762, fell into a fit of apoplexy and is rendered altogether uncapable of business, and having not personal estate to answer said judgment &c.; praying to this Assembly to appoint some suitable person to take good security for said money to be paid with lawful interest by the 1st. of May, 1764, &c., as per memorial on file: Resolved by this Assembly, that Mr. Cyrus Marsh of Kent be appointed, and he is hereby impowered and appointed, to receive an exact account of the said judgment, both debt and cost, and upon the said sheriff's paying the cost already arisen he is to take good security for the whole of said debt to be paid to the Governor and Company on the 1st. of May, 1764, with lawful interest, and thereupon to discharge the said judgment against the said Lasell, and to return the said bond to the Treasurer of this Colony, taking his receipt, and to lodge the said Treasurer's receipt with the Secretary.

Upon the memorial of George Pitkin, Daniel Pitkin and Gift Pitkin, administrators on the estate of Ozias Pitkin late of Hartford, deceased, shewing to this Assembly that the debts due from said estate exceed the moveable estate of said deceased the sum of £268 6*s*. 9*d*. and that they have nothing in their hands to satisfy said sum, and praying for liberty to sell real estate to pay the same: Resolved by this Assembly, that they have liberty, and liberty is hereby granted to said memorialists, to sell so much of said deceased's real estate as to procure said sum of £268 6*s*. 9*d*. with incident charges arising on said sale; taking the direction of the court of probate for Hartford district therein.

Upon the memorial of Roger Strickland of Windsor, administrator on the estate of Samuel Strickland late of Windsor, in Ellington parish, deceased, shewing to this Assembly that the debts, charges &c. due from the estate of said deceased surmount the moveable part of said estate the sum of £31 9*s*. 7*d*. lawful money; praying for liberty to sell so much of [486] the real estate as will raise said sum &c.: || Resolved by this Assembly, that the said Roger Strickland have liberty, and liberty is hereby granted to the said Roger Strickland, to make sale of so much of the real estate of the said deceased Samuel Strickland as will raise the sum of £31 9*s*. 7*d*. lawful money with the incident charges arising therein; taking the advice of the court of probate in the district of Stafford therein.

Upon the memorial of Jacob Hinsdell and Ann Peck of Harwinton, executors of the last will and testament of Jacob Peck of Harwinton, deceased, shewing to this Assembly that since liberty was granted to them by the General Assembly to make sale of some of the real estate of the said deceased to pay debts due from the said estate a further account of debts due from the said estate was exhibited to and allowed by the court of probate in the district of Litchfield, amounting to the sum of £33 7*s*. 11*d*. &c.; praying for liberty to sell so much of the real estate of said deceased as to answer and pay the said sum: Resolved by this Assembly, that the said Jacob Hinsdell and Ann Peck have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased as to answer and pay the said sum of £33 7*s*. 11*d*. with the incident charges on said sale arising; taking the advice of the court of probate in the district of Litchfield therein.

Upon the memorial of the widow Mary Edwards, of Coventry in the district of Windham, as she is sole administratrix on the estate of Mr. Thomas Edwards late of Coventry in said district, deceased, shewing to this Assembly that the debts and charges due to the creditors from the estate of the said deceased do surmount the sum of the inventory of the moveable estate of the said deceased the sum of one hundred and eighteen pounds nineteen shillings and three pence lawful money, as appears by the files and records of the court of probate for said district, and praying to this Assembly for liberty to sell so much of the land or real estate of the said deceased as may raise the sum of £118 19*s*. 3*d*. lawful money and the incident charges arising thereon, taking the direction of the said court of probate therein: Therefore it is resolved by this Assembly, that the said memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said deceased as to raise the sums abovesaid with the incident charges arising thereon; taking the direction of the said court of probate therein

Upon the memorial of Enoch and Lois Scott, administrators on the estate of Ezekiel Scott late of Waterbury, deceased, shewing to this Assembly that the debts due from said deceased's estate surmount the moveable estate of the said [487] deceased the sum of £22 10*s*. 11*d*., and that ‖ the said deceased left only a small house and ten acres of poor land situate in said Waterbury, apprized at £27 0*s*. 0*d*. lawful money; praying for liberty to sell said house and land, as per memorial on file &c.: Resolved by this Assembly, that the said administrators have liberty, and liberty is hereby given

them, to sell said house and land to answer said debt of £22 10*s.* 11*d.* with incident charges arising thereon, and the overplus money of the sale of said house and land, if any there be, be laid out by said administrators to the best good and advantage for the only heirs of said deceased; said administrators taking direction of the court of probate for the district of Woodbury herein.

Upon the petition of Jonathan Fish and Nathan Fish, both of Groton in the county of New London, *vs.* Joshua Hempsted, of Stonington in said county, representing that the said Hempsted brought his writ of surrendry against the petitioners to the county court held at Norwich in said county on the 4th Tuesday of November, 1760, therein demanding the seizin and possession of salt meadow situate in Groton aforesaid, which he claimed as heir in tail male of his father Nathaniel Hempsted late of New London, deceased, by form of the gift of his great-grandfather, Joshua Hempsted late of said New London, deceased, which action came to a final trial before the superior court held at Norwich on the 4th Tuesday of March last past, on a demurrer to the defendants' plea in bar of more than forty years quiet and undisturbed possession of said demanded premises, which superior court rendered judgment on said demurrer in favour of the then plaintiff, that said plea was insufficient &c., and that he should recover the seizin and possession of said meadow; complaining that said superior court in rendering said judgment erred and misjudged the law; praying that said judgment may be reversed and a new trial be granted in said case, as per petition on file appears &c.: Resolved by this Assembly, that in proceeding to and rendering the judgment of the superior court referred to in said petition error hath intervened, as therein is alledged and complained of, and that said judgment of said superior court be and the same is hereby reversed and set aside, and that the petitioners have liberty of another trial of their said case before the superior court to be held at New London on the fourth Tuesday of September next, and that all costs follow the final judgment which shall be given in said case.

Upon the memorial of John Moss, Timothy Wilcockson and other inhabitants of the parish of Ripton, and Nathan Booth and others, inhabitants of the parish of North Strat-
[488] ford, all in the town of || Stratford, preferred to the General Assembly held at New Haven in October last, praying to be made a distinct ecclesiastical society, the said Assembly did appoint Elisha Sheldon, Esq^r., Messrs. Increase Mosely and Timothy Judd, a committee to repair to and

view the circumstances of the memorialists and all concern'd, and to report their opinion thereon to this Assembly; which committee have accordingly reported, that the people living within the lines and limits hereafter mentioned, *viz:* Beginning at a school-house which is erected and stands in the highway on the line that divideth Ripton from North Stratford parish, then running northwardly in said dividing line till it crosseth the highway that leadeth from Samuel Deforest's to Nathan Booth's dwelling-house, then turning northeastwardly and running till it comes to the west end of the cross-highway that leadeth from Nathaniel Lewis's to Beach Lewis's dwelling-house, from a little northward of said Beach Lewis's dwelling-house, from thence turning a little more northwardly and running till it comes to the road that leads from Barn Hill to Ripton meeting-house, that is, to the corner or turn in said road about thirty rods eastward of Milton Hawley's dwelling-house, from thence turning a little more northward and running till it comes to the road that leadeth from Bagborn Hill to White Hills, that is, where it crosseth said road twenty rods eastward of Zachariah Thomlinson jun. dwelling-house, then turning north and running till it comes to Stratford River, then turning northwestwardly and running by said river till it comes to Newton south line, then turning and running westward in said Newton line till it comes to Stratfield northeast corner in said Newton line, then beginning at the school-house before mentioned and running southward in the highway till it comes to the highway that leadeth to Samuel Wells's dwelling-house, then turning westward and running in said highway till it comes to said Samuel Wells dwelling-house, then running due west from said Samuel Wells' dwelling-house till it comes to the road that leadeth from Newton to Stratford, then turning and running northward in said road till it comes to the south end of the road called Newton new road, and then running in said Newton new road till it comes to Samuel Sherman's dwelling-house, including said dwelling-house, then turning and running west half a mile from said Sherman's dwelling-house, then turning and running northward a straight line to Stratford northeast corner in Newton line, are able to support the preaching of the gospel among themselves and defray all the charges of an ecclesiastical society, and ought to be made such society: which report is accepted and approved, as per said memorial, report &c., on file appears: Resolved by this Assembly, that the inhabitants dwelling within the limits and boundaries aforesaid be, and they are hereby, made and created a distinct ecclesiastical

society, with all the powers, priviledges and immunities to the other societies in this Colony by law appertaining or belonging, and shall [be] called and known by the name of the society of New Stratford.*

[489] Upon the memorial of Abraham Camp, administrator on the estate of Noadiah Allin late of Middleton, deceased, shewing to this Assembly that the debts and charges exhibited to the court of probate for the district of Middleton and allowed by said court against the estate of said Noadiah Allin, deceased, surmount the whole inventoried moveable estate of said deceased the sum of £12 14*s.* 3½*d.* and that your memorialist hath nothing in his hands to pay the same; praying that he may have liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum with the incident charges arising thereon: Resolved by this Assembly, that said Abraham Camp have liberty, and liberty is hereby granted to him, to sell so much of the real estate of said deceased as will be sufficient to pay the same with the incident charges arising thereon; taking the direction of the court of probate in the district of Middleton therein.

Upon the memorial of Titus Culver and Asahel Thomas of Wallingford, administrators on the estate of Enos Smith of said Wallingford, deceased, representing to this Assembly that the debts and charges due from said estate surmount the moveable estate the sum of £50 2*s.* 7½*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charge, as per memorial &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to them, to sell so much of said real estate as shall be sufficient to pay said sum with the incident charges; taking the direction of the court of probate for the district of New Haven therein.

Whereas upon the memorial of John Gilbert &c., inhabitants of the northerly parts of the parishes of Stratfield and Greenfield and of the westerly parts of the parish of North Stratford in the county of Fairfield, praying to be made a distinct ecclesiastical society with certain bounds and limits in said memorial mentioned, Messrs. Samuel Olmsted of Ridgefield, Samuel Fitch of Norwalk and John Fowler of Milford, Esq^rs., were by the General Assembly held at New Haven in October last appointed a committee to view the circumstances of the memorialists, to hear all parties concerned,

* Now the town of Monroe, which was incorporated as such May, 1823.

and report thereon of what they should find with their opinion; which committee have reported, and such their report has been by this Assembly disapproved and rejected; as per said memorial, report &c. on file appears: Resolved by this Assembly, that Joseph Platt, Comfort Starr and Richard Fairman, Esq^rs., be and they are hereby appointed a committee, to view the circumstances of the memorialists, their situation, and consider the limits proposed in said memorial and any other limits that may be proposed for a parish, and the circumstances of the adjoining societies, hear all parties concerned, and make report thereof with their opinion thereon to the General Assembly to be holden at New Haven in October next.

Upon the petition of Jeremiah Barret of Hartford, representing to this Assembly that at the county court held at Norwich within and for the county of New London by ad- [490] journment, Edward Eells of Stonington || recovered judgment against him, said Barrett, by default, and that he was hindered attending at said court and defending in said cause by unforseen accident; that judgment was recovered for a large sum, when nothing was due to said Eells; praying for another trial in said cause at the county court in said New London county in June next, or some other way order and enact, so that justice may be done. The petitioner and petitionee appeared before this Assembly and moved that the matters of difference between them for which said suit was brought, mentioned and recited in said petition, might be referred to a committee for determination &c.: Resolved by this Assembly, that Ebenezer Backus, Matthew Talcott and Jeremiah Miller, Esq^rs., be a committee, and they are hereby appointed a committee, to hear said parties on said matters of difference between them and referred to in said petition, and give their opinion thereon and make report thereof to this Assembly.

On the petition of Jeremiah Barrett of Hartford, complaining that Edward Eells of Stonington obtained judgment against him on default at the adjourned county court held at Norwich on the first Tuesday of February, 1762, in an action brought by the said Eells against the said Barrett at the said court for his, the said Barret's, negligently stowing a large quantity of cheese by him, the said Eells, put on board a certain sloop at Stonington harbour, of which the said Barrett was then master, and which the said Barrett received of said Eells to transport in said sloop to Boston, and that by reason of the said Barrett's negligently stowing said cheese unnecessarily

delaying said voyage much of said cheese was hurt and spoiled, and the said Barret complaining he was unavoidably hindered appearing at said court, and thereupon judgment was had against him as aforesaid for a large sum when nothing ought in justice to be recovered of him; praying for a new trial of said cause &c., as per petition on file. The parties appearing before this Assembly and agreed to have commissioners appointed to hear and consider the matters of difference between them relating to the freighting said cheese and damages complained of as aforesaid, and accordingly Messrs. Ebenezer Backus, Matthew Talcott and Jeremiah Miller, Esq^rs., were appointed a committee to hear and report their opinion on the matters of difference aforesaid, and their report thereon made, *viz:* that there is justly due to the said Edward Eells from the said Barret the sum of forty-seven pounds five shillings and seven pence half-penny as damages, and also that the said Barrett pay the said Eells the cost arisen thereupon: Resolved by this Assembly, that the said Eells recover of the said Barrett the sum of £47 5*s.* 7½*d.* and his cost taxed at £7 17*s.* 10*d.* lawful money, and that execution go forth accordingly.

[491] Upon the memorial of William Whiting of Hartford, shewing to this Assembly that judgment was obtained in favour of the Treasurer of this Colony before the superior court held at Norwich in the county of New London on the fourth Tuesday of March, 1762, against said memorialist and Lemuel Vorce of said Norwich, for the sum of £50 0*s.* 0*d.* lawful money, beside cost, which judgment was obtained on a bond of recognizance given by said memorialist and said Lemuel for the appearance of Henry Vorce of said Norwich, who was prosecuted on suspicion of uttering a counterfeit dollar &c.; that said Henry was by reason of sickness prevented from appearing &c.; praying for abatement &c., as per memorial on file: Resolved by this Assembly, that upon said memorialists paying into the public treasury of this Colony the sum of twenty pounds lawful money and also paying the cost taxed in said action that the same shall be a full satisfaction and discharge of the said judgment of said superior court on the bond aforesaid.

Upon the memorial of Joshua Case, of Simsbury in Hartford county, representing to this Assembly that some time in April last he had his dwelling-house consumed by fire, in which he had some bills of credit on this Colony also consumed by fire, *viz:* a thirty shilling bill and one bill of the sum of fifteen pence, each of March emission, 1761, &c.; pray-

ing this Assembly to order the Treasurer of this Colony to pay to the memorialist the value of said bills &c., as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered to pay to the memorialist out of the Colony treasury, the sum of one pound twelve shillings and ten pence, being the value of said bills.

Upon the memorial of Hannah Hills of Glassenbury, administratrix on the estate of Abraham Hills of Glassenbury, late deceased, shewing to this Assembly that with what is set out for the necessary use of the widow of said deceased the debts of said deceased surmount the moveable part of the estate of said deceased the sum of twenty-one pounds eighteen shillings and seven pence lawful money &c.: praying this Assembly to grant the said memorialist liberty, with Capt. Timothy Hollister of said Glassenbury or some other person, to make sale of so much of the real estate of said deceased as will raise the sum of £21 18*s*. 7*d*. aforesaid &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialist with said Timothy Hollister have liberty, and liberty is hereby granted to said memorialist with said Timothy, to make sale of so much of said real estate as will raise said sum of £21 18*s*. 7*d*. with incident charges arising thereon; taking the advice of the court of probate in the district of Hartford therein.

[492] On the memorial of Rachel Pinney and Timothy Moor, administrators on the estate of David Moor late of Symsbury, deceased, for liberty to make sale of so much of the real estate of the said deceased as will raise the sum of £20 0*s*. 0*d*. lawful money, for the payment of debts due from the estate of the said deceased; as per memorial on file: Resolved by this Assembly, that Rachel Pinney and Timothy Moore, administrators on the estate of David Moore, late of Symsbury in the county of Hartford, deceased, have liberty, and liberty is hereby granted to said memorialists, to make sale of so much of the real estate of the said deceased as will raise the sum of £20 0*s* 0*d*. lawful money for the payment of said debts, with incident charges of sale; taking the advice of the court of probates in the district of Hartford therein.

On the memorial of Phebe Barns, of New Haven in New Haven county, administratrix on the estate of James Barns late of said New Haven, deceased, representing to this Assembly that the debts and charges allowed by the court of probate for the district of New Haven, including some allowance to the widow, surmount the whole inventoried moveable

estate £35 1*s.* 6¾*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as may raise said sum with the incident charges thereon arising: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the memorialist, to sell so much of the real estate of said deceased as to raise said sum with the incident charges arising thereon; taking the directions of the court of probate for the district of New Haven therein.

Upon the memorial of William Robbins, of Lyme in New London county, administrator on the estate of William Robbins, late of said Lyme, deceased, shewing to this Assembly that the debts paid by the said administrator on said estate with what still remains unpaid surmount the personal estate of said deceased the sum of £8 10*s.* 7*d.*; praying for liberty to sell so much of the real estate of the said deceased as will raise and pay the said sum of £8 10*s.* 7*d.* with the incident charges arising on such sale, taking the advice and direction of the court of probate within and for the district of New London therein: Resolved by this Assembly, that the memorialist have liberty and he is hereby appointed and impowered, to sell and convey so much of the real estate of said William Robbins, deceased, as shall raise and pay the said sum of £8 10*s.* 7*d.* together with the incident charges arising on such sale; taking the advice and direction of the said court of probate for the district of New London aforesaid therein.

Upon the memorial of John Mack of Lyme, administrator on the estate of Abner Beckwith late of said Lyme, deceased, shewing to this Assembly that the debts and charges paid [493] by said administrator and allowed by the ‖ court of probate with a list of the debts still due from the estate of said deceased surmount the personal estate of said deceased the sum of £12 6*s.* 1*d.*; praying for liberty to sell so much of the real estate of said deceased as will raise and pay said sum of £12 6*s.* 1*d.* with the incident charges arising on such sale, taking the advice of the court of probate for the district of New London therein: Resolved by this Assembly, that the memorialist have liberty, and he is hereby appointed and impowered, to sell so much of the real estate of the said deceased as shall raise and pay said sum of £12 6*s.* 1*d.* lawful money with the incident charges arising on such sale; taking the advice of the said court of probate for the district of New London therein.

Upon the memorial of Elijah Whiting, of Ashford in the

county of Windham, executor to the last will and testament of Abraham Russ late of said Ashford, deceased, shewing to this Assembly that said Abraham Russ in his last will and testament gave to his two sons, Azariah Russ and Abraham Russ, his home-lot to be equally divided between them, being their equal part of said deceased's real estate, and also that he gave to his youngest son, Daniel Russ, and to his five daughters, *viz:* Priscilla, Amy, Esther, Elizabeth and Hannah, his lot known by the name of Robinson's lot as their full proportion of said deceased's real estate, and that the said lots is the whole of said deceased's real estate; and also shewing that the debts and allowances due from said estate surmount the personal estate of said deceased the sum of £64 3*s.* 4½*d.*, lawful money; and praying for liberty to sell so much of each of said lots in equal proportion to the legacies of said legatees as shall procure the said sum of £64 3*s.* 4½*d.* lawful money, as per memorial on file &c.: Resolved by this Assembly, that the said Elijah Whiting have liberty, and he is hereby impowered, to sell so much of the real estate of said deceased, *viz*: of each of the said lots in proportion to the value of the legacies of the said legatees, as shall procure the said sum of £64 3*s.* 4½*d.* lawful money with the incident charges of said sale; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Robert Lane, now residing in the town of Stafford, shewing to this Assembly that in the year 1761 he was a soldier in the service of this Colony, during which service by sickness he has almost wholly lost his eye-sight, and that he is a minor, having no estate nor any relation who by law is obliged to afford him relief, and that he is not an inhabitant of this Colony: Resolved by this Assembly, that the sum of fifteen pounds be granted unto said memorialist, to be improved for the recovery of the said memorialist's eye-sight; and the Treasurer of this Colony is hereby ordered to deliver said sum out of the treasury of said Colony unto Mr. Josiah Converse of said Stafford, by him to be improved for the purpose aforesaid.

Upon the memorial of John Humiston and Ephraim Sanford, of Litchfield in Litchfield county and Colony of Connecticut, shewing to this Assembly that they live in the [494] southeast corner of said || Litchfield, about two miles and an half from the meeting-house in the parish of Northbury in Waterbury, and eight or nine miles from said Litchfield meeting-house &c., and praying that they may be annexed to the said parish of Northbury and exempted from

paying any taxes to the said town of Litchfield that shall hereafter be granted for the support of the gospel, maintaining of schools, and for building or repairing of meeting-houses in said Litchfield &c.: Resolved by this Assembly, that the said John Humiston and Ephraim Sanford be and they are hereby annexed to the said parish of Northbury and exempted from paying any taxes to the town of said Litchfield that shall hereafter be granted for the support of the gospel, maintaining of schools and for building or repairing of meeting-houses in said Litchfield, and pay their said taxes hereafter to be granted to the said parish of Northbury, during the pleasure of this Assembly.

Upon the memorial of Daniel Lawrence and others, inhabitants of the town of Canaan in Litchfield county, representing to this Assembly that the said town is conveniently situated for two societies; that they cannot without great difficulty attend divine service at one place, and their present meeting-house is too small to contain so great a number of people as belong to said town and are now able to maintain two ministers &c.; praying that said town may be divided into two societies &c., as per memorial on file appears: Resolved by this Assembly, that Erastus Wolcott, William Pitkin Jun. and John Strong, Esq^rs. be and they are hereby appointed a committee to repair to said town, view the circumstances thereof, hear all parties concerned, and make report of what they shall find with their opinion thereon, to this Assembly at their sessions at New Haven in October next.

Upon the memorial of Samuel Smith, conservator of the person and estate of Samuel Morton, a person *non compos mentis*, shewing to this Assembly that the debts due from said Morton and expences already paid for his support exceed his moveable estate the sum of £18 14*s*. 3*d*. lawful money; praying for liberty to sell one piece of land in said Hartford, containing about twenty five acres, as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted, to sell said twenty-five acres of land for the payment of said £18 14*s*. 3*d*. lawful money and for his future support; taking the direction of the county court for Hartford county therein.

Upon the memorial of John Knight of Norwich, representing that before the superior court held at New London in and for the county of New London on the 4th Tuesday of [495] September, A. D. 1761, ‖ on an indictment exhibited against him, the said John, for the murther of one Ebenezer

Rood and tryal thereon, the petty jury brought in a special verdict setting forth certain facts they found in said cause and the law thereon referred to said court, *viz*: whether the said John Knight was guilty of murther or manslaughter, which said court thereon gave judgment against the said John, that he was guilty of murther; and further complaining that many circumstances that really attended said transaction and which probably would have been favourable for the said John were by mistake omitted in said special verdict; praying for another tryal in said cause, as per memorial on file: Resolved by this Assembly, that the said John Knight have a new tryal of said cause at the superior court to be held at New London on the 4th Tuesday of September next, and a new tryal of said cause is hereby ordered accordingly.

On the memorial of Samuel Talcott and Sarah Flagg, executors of the last will and testament of Samuel Flagg late of Hartford, deceased, praying for liberty to make sale of so much of the real estate of the said deceased as will procure the sum of three hundred pounds lawful money, for the payment of the debts due from said estate with incident charges of sale &c., as per memorial on file: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to said Samuel Talcott and Sarah Flagg and they are hereby impowered, to make sale of so much of the real estate of the said deceased as will raise the sum of three hundred pounds lawful money with necessary charges arising on the sale thereof; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Thomas Curtis, administrator on the estate of Jonathan Collins late of Weathersfield, deceased, shewing to this Assembly that the debts and charges arisen on the estate of the deceased, with necessaries set out to the widow of said deceased, surmount the moveable part of the estate of the deceased the sum of £17 7*s*. 10*d*. lawful money, for the payment of which sum the memorialist hath no moveable estate to pay the same; praying that liberty be granted to the memorialist or some other meet person, to make sale of so much of the real estate of the deceased as will procure said sum of £17 7*s*. 10*d*. lawful money with incident charges arising thereon, for the payment of said debts, as per memorial on file &c.: Resolved by this Assembly, that Captain Thomas Curtis of Weathersfield, the said administrator, have liberty, and he hath hereby liberty and full power, to sell so much of the real estate of the deceased as will procure the sum of £17 7*s*. 10*d*. lawful money, for the payment of the

debts of the deceased, with incident charges arising thereon; taking the direction of the court of probate for the district of Hartford thereon.

[496] Upon the memorial of Jonathan Merrell and others, inhabitants living at the east tier of lots in the town of New Hartford adjoyning to Symsbury, representing that they live at a great distance from the place of public worship in the said town, and their travelling to meeting is many times very hazardous on account of the great river in their way; praying to be annexed to the west society in Symsbury &c.: Resolved by this Assembly, that the memorialists and all others living on the east side of said river on said east tier of lots and their lands lying in said tier on the east side of said river as aforesaid shall be, and they are hereby, annexed to the said west society in said Symsbury, and henceforth are exempted from taxes for the support of the ministry or schooling, or for building or repairing of meeting-houses in said New Hartford.

Upon memorial of the inhabitants of the town of Hartland in the county of Litchfield, representing that the county court for said county, upon application to them made, had affixed and ascertained a place for the building of a meeting-house for divine worship in said town to good satisfaction of said inhabitants; that their circumstances were low and a great part of the lands in said town are owned by non-residents; praying for a land tax &c.: Resolved by this Assembly, that a rate or tax of three pence lawful money per acre for the space of four years, annually, shall be assessed on all the divided lands in said township lying east of the river that runs through said town, and the same shall be levyed and collected of the present proprietors and owners of said lands and be improved for the settling of a minister or for building of a meeting-house, at the discretion of the selectmen of said town for the time being. And Nehemiah Andruss of said Hartland is appointed and fully impowered as a collector, to collect said tax and pay the same into the hands of said selectmen for the purposes aforesaid.

Upon the memorial of the inhabitants of the parish of Eastbury in the town of Glassenbury in the county of Hartford, representing that for many years they have laboured under extraordinary burdens and difficulties, and are still under discouragements and unable well to support their ministerial and society charges, and that the fourth mile of land in said Glassenbury east from Connecticut River hath been sequestered to lye common, but more lately hath been laid out, and

that all rates and taxes arising within said fourth mile have been paid and improved within said first society, (excepting a few farms,) and that the meeting-house in said Eastbury [497] stands within half a mile thereof; || praying that the whole of said fourth mile of land, formerly called commons, and the inhabitants that shall live thereon, may be annexed to said Eastbury parish or society, and that all rates and taxes hereafter arising or that shall arise thereon &c. be paid to said society &c., as per memorial on file &c.: Resolved by this Assembly, that John Ledyard, Esq^r., of Hartford, Jonathan Belding and Elisha Williams, Esq^rs., of Wethersfield, be and they are hereby appointed a committee, at the cost of the memorialists, to repair to said society and to view the circumstances of the said fourth mile of land called the commons, and consider the need and conveniency of the same being annexed to said Eastbury society, and make report to this Assembly in October next, with their opinion thereon.

Upon the memorial of Joseph Meacham, of Enfield in the county of Hartford, representing that Israel Meacham of said Enfield, late deceased, in his life time, *viz:* on the 11th day of September, 1759, for the consideration of thirty pounds money, by his deed of that date sold and conveyed to the said Joseph two certain parcels of land lying in said Enfield, one containing eighteen acres more or less, situate at a place called Pipers Hole, the other parcel lying at the edge of the Pine Plain, containing twelve acres, it being part of a tract of land formerly laid out to John Meacham on Bancraft's right, both which parcels are more particularly described in said deed; that said deed happened not to be acknowledged by the said Israel in his life time for want of proper authority then to be had, as was the honest intention of the said Israel to have done; praying a decree to authenticate said deed &c.: It is therefore resolved, ordered and decreed by this Assembly, that said deed shall and may be entered at large on the public records of the said town of Enfield, and that the same being so recorded shall be as good and effectual in law for the passing and conveying the said parcels of land therein mentioned and described to the memorialist, his heirs &c., as if the said Israel Meacham in his life time had acknowledged the said deed in due form according to law.

Upon the petition of Jonathan Fowler of Guilford, against Titus Culver of Wallingford, representing to this Assembly that sometime about the beginning of January, 1760, the said Titus offered to sale to the petitioner a certain pretended right of land said to be derived from an Indian native called Metuck-

son, lying in the Province of the Massachusets Bay, affirming the said Indian title to be good, and that he, the said Indian, was a freeman of the corporation of said Province, using many colourable pretences and false affirmations about said matter, by means whereof he had prevailed on the petitioner to purchase a small part of said pretended right, for which he had given the said Titus his note of hand of £10, which note the said Titus had since put in suit and recovered judgment thereon at New Haven county court, April 1st Tuesday, 1761; further alledging, that said pretended right was altogether without foundation, and that the contract and agreement relative to said purchase and note was altogether fraudulent and obtained by circumvention and undue methods and means on the part of the petitionee; praying to have said judgment of said [498] county court set aside &c., as by the petition on file: || Resolved by this Assembly, that Joshua West, Ebenezer Backus and Eleazer Fitch, Esq^rs., be and they are hereby appointed a committee, with full power to notify the parties and examine into all the said matters of complaint and make report to this Assembly in October next of what they shall find in the premises; and all proceedings on the said judgment of the county court are hereby ordered to be stayed in the meantime.

Upon the petition of Joseph Lindsey jun., Josiah Fowler, Daniel Maltbie, Timothy Hoadly, Joseph Lindsey, Amos Harrison, Benjamin Maltbie, Josiah Talmadge, Dan Pond, all of Branford, and Abel Munson, Titus Cook, Caleb Culver, Samuel Culver, Joseph Bartholomew, of Wallingford, William Lucas of Durham, Isaac Waterman of Middleton, Abner Smith, Samuel Hubbard and Elisha Johnson, of Haddam, against Titus Culver of Wallingford aforesaid, representing to this Assembly that sometime about the beginning of January, 1760, the said Titus offered to sale to the petitioners certain pretended rights of land, said to be derived from an Indian native called Metuxon, lying in the Province of the Massachusets Bay, affirming the said Indian title to be good, and that he, the said Metuxon Indian, was a freeman of the corporation of said Province, using many colourable pretences and false affirmations about said matter, by means of which he had prevailed on the petitioners to make considerable purchases of said pretended Indian rights, and therefor had given their notes of hand amounting to large sums; further alledging that said pretended rights were altogether without foundation, and that the contracts and agreements relative to said purchases and notes were altogether fraudulent and obtained by circum-

vention and undue methods and means on the part of the petitionee; praying to have said notes declared null and void &c., as by the petition on file may more fully appear: Resolved by this Assembly, that Joshua West, Ebenezer Backus and Eleazer Fitch, Esq^rs., be and they are hereby appointed a committee to notify the parties and examine into all the said matters of complaint, and make their report to this Assembly in October next of what they shall find in the premises.

The Hon^ble William Pitkin, Esq^r, John Chester and George Wyllys, Esq^rs., are hereby appointed a committee, they or any two of them, to sell the remainder of the sterling money granted and received, part in money and part in tallies, for the services done in the year 1759, whereof about £23,000 hath been already sold. And the said committee is hereby directed on certain intelligence that the money on the tallies is received by the Agent, to sell the same for its full value in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March, 1758, March, 1759, and May, 1759. And they are also further directed, to sell thirty-five thousand pounds sterling granted by Parliament that is or may be ordered to be paid this Colony on account of its services in the year 1760. And the said committee is hereby directed on certain intelligence that said money is received by the Agent of this Colony, to sell the same for its full value in silver, gold, or bills of credit of this Colony emitted by act of this Assembly in March, 1760, or any antecedent bills of credit of this Colony excepting the bills emitted in February, [499] 1759, to any person || or persons that shall appear and pay the value thereof into the treasury of this Colony. And when the contract in either of the abovementioned cases of sale is made, the money or bills paid in manner above directed and the Treasurer's receipt thereof produced to said committee, they shall lodge the same with the Secretary and certify his Honor the Governor of their doings thereon, who is hereby desired and impowered, on receipt of such certificate, to draw bills of exchange on the Agent in London in favor of such purchaser or purchasers for the sum or sums so certified.

The Sums Total of the Additions to the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns hereafter named sent into this Assembly are as follow, viz:

	Single Additions.			*Fourfold Additions.*		
	£	*s.*	*d.*	£	*s.*	*d.*
Hartford,						
New Haven,	1017	15	6	600	8	0
New London,	2245	2	0	168	0	0

Fairfield,	741	1	9	-	-	-	2016	3	6
Windham,	475	12	0	-	-	-	529	4	0
Litchfield,				-	-	-			
Norwich,	628	17	10	-	-	-	111	6	0
Stamford,	246	19	6	-	-	-	40	8	0
Stratford,	1996	9	8	-	-	-	288	0	0
Greenwich,	918	6	6	-	-	-			
Milford,	40	8	0	-	-	-	363	18	2
added to Milford,				-	-	-	23	19	6
Farmington,	429	18	0	-	-	-	310	14	0
Kent,	1815	7	0	-	-	-			
New Milford,	113	18	1	-	-	-			
Suffield,	1534	10	6	-	-	-			
Salisbury,	813	10	0	-	-	-	180	0	0
Branford,	491	9	9	-	-	-	603	10	0
Stafford,	353	13	6	-	-	-			
Stonington,	542	2	0	-	-	-	228	0	0
Newton,	75	8	0	-	-	-			
Hebron,	715	2	0	-	-	-			
Glassenbury,	216	3	6	-	-	-			
East Haddam,	961	8	6	-	-	-			
New Hartford,	248	16	0	-	-	-			
Wallingford,	699	7	6	-	-	-	1799	15	0
Torrington,w't side,	65	14	0	-	-	-			
Saybrook,	418	14	0	-	-	-			
Somers,				-	-	-			
Tolland,	268	8	0	-	-	-	345	4	0
Killingsly,	266	16	0	-	-	-			
Cornwall,	152	16	8	-	-	-			
Goshen,	37	6	0	-	-	-			
Woodstock,	567	10	0	-	-	-			
Coventry,	209	2	6	-	-	-			
Mansfield,	549	19	0	-	-	-			
Derby,	280	10	0	-	-	-	347	8	0
Durham,	41	11	6	-	-	-	60	15	0
Colchester,	856	1	0	-	-	-	349	12	0
Norwalk,	739	7	6	-	-	-			
Haddam,	108	6	6	-	-	-			
Bolton,	510	13	0	-	-	-			
Danbury,	232	10	9	-	-	-	34	4	0
Enfield,	63	9	0	-	-	-	116	0	0
Waterbury,	667	15	0	-	-	-	151	4	0
Lyme,	567	14	0	-	-	-	213	0	0
Canaan,	43	0	0	-	-	-			
Sharon,				-	-	-			

Plainfield,	361	1	6	-	-		1082	0	0
Ashford,				-	-	-			
Lebanon,	268	1	6	-	-				
Symsbury,	115	0	0	-	-	-			
Woodbury,	894	9	4	-	-	-	86	8	0
Harwington,	99	5	0	-	-	-			
Voluntown,	408	2	0	-	-	-			
Windsor,	594	0	0	-	-	-	719	16	0
Pomfret,	200	10	6	-	-	-			
Guilford,	12	1	0	-	-	-	81	18	0
Weathersfield,	1065	5	10	-	-	-	356	0	0
Groton,	1401	16	0	-	-	-	1612	12	0
Canterbury,	92	0	0	-	-	-	136	3	3
Middletown,	166	11	0	-	-	-	75	4	0
Preston,	1445	11	0	-	-	-	1148	16	0
Killingworth,	212	16	1	-	-	-	169	4	0
Ridgfield,	329	2	5	-	-		189	6	0

Resolved by this Assembly, That the Secretary be directed with the assistance of the attorneys concerned, or otherwise as he shall think best, to take an account of the several petitions and memorials that are of a private nature between party and party, which are entered for hearing at this Assembly, and allowing one, two, or more as he shall judge convenient, to be heard on each day successively; that he enter and put down the same in a list or docket accordingly, assigning such certain number to each day as aforesaid; and his Honor the Governor is desired to call on such petitions and memorials to [500] be heard according to such list or docket, || and in the forenoon of the respective days assigned as aforesaid, unless for want of time any should remain unheard in the forenoon then the same to come on the next succeeding afternoon, or as soon after as may be; and that all pleas in abatement shall be made in writing and delivered to the adverse party or his council the day before the same is assigned for hearing: Provided nevertheless, that if the parties concerned in any cause shall mutually consent to have the same come on at any other time than here specified, and acquaint his Honor the Governor therewith, and it be found that the same may be done consistently with the other business of the Assembly, in that case his Honour will permit the same to be done, if he shall think proper.

Whereas his Excellency Sir Jeffery Amherst, Commander-in-Chief of his Majesty's forces in North America, by his letter to his Honor the Governor, dated 15th April last, hath represented that he hath undoubted proof of the enemy being

supplied with provisions from almost every port on the continent of North America, and the necessity of putting an effectual stop to such infamous practices, particularly at a time when there is the greatest demand for provisions to supply the King's troops, and supposing that such merchants who have quantities of provisions in store for exportation be obliged to deliver what they have in their stores to persons that are appointed to purchase the same for the crown, that the King's service may be carried on and may not suffer for want of that most essential article; and by an another letter, dated 5th instant, hath represented that several persons belonging to this Colony practice a most iniquitous trade, which is not only infamous in itself but occasions great difficulty in procuring the necessary supply for carrying on his Majesty's service, by sending off their vessels on cruising voyages, supposed to be with provisions, and keeping great quantities of provisions in store which they will not sell, owing it is presumed to their expectations of getting a higher price by sending it to the enemy, which they can easily do since the restraint already laid on the ports has but little effect, as vessels do go out daily without any clearances at all: Which representations deserve the public attention and diligence to search after and discover the truth and circumstances of the matters complained of, that the mischiefs and difficulties attending such infamous practices may be prevented and redressed, as well as to set in a true light such things as may have been misrepresented to the injury of the inhabitants of the Colony and of the characters of particular persons within the same: It is therefore resolved by this Assembly, that his Honor the Governor be and he is hereby desired to enquire after the truth of the matters of complaint mentioned in said letters, relative to the practices of any of the inhabitants of this Colony, that such as are iniquitous and illicit may be prevented and punished; and wherein he finds any of them misrepresented, to set them in a true light before the General. And also, that the King's service may not suffer for want of the barrel-pork which may be had in this Colony and the General hath employed persons as purchasers here, his Honour the Governor is hereby desired, (if he shall judge it necessary, and on proper application made to him therefor,) to give a warrant directed to some suitable person to impress such barrel-pork as is or may be found in stores or already put on board any vessel or vessels and kept by the merchants on purpose for exportation and is wanted to supply the King's troops; and that he nominate and appoint in and by the

same warrant three or more judicious and disinterested merchants that shall under oath apprize the same by the barrel, and the value at which such barrel-pork is set and apprized being first paid to the owner or owners thereof, order the same to be delivered to the persons imployed to purchase it for the supply of the King's forces, and may be transported out of this Colony accordingly.

[501] Whereas there is a scarcity of wheat, indian corn and rye in this Colony for the support of its inhabitants, and also a demand for barrel-pork and beef for the supply of the King's forces in North America, whereby an embargo is rendered necessary: It is resolved by this Assembly, that his Honor the Governor be and he is hereby desired to issue and send forth his proclamation, thereby to prohibit and forbid the transporting or shipping on board for transportation out of this Colony, barrel-pork, beef, wheat, indian corn and rye, that the same may be retained for the use of the inhabitants of this Colony: excepting what may be wanted for his Majesty's service. That this prohibition be extended and continue in force until the 15th day of July next.

Whereas it is represented to this Assembly that some provisions, principally grain, some time since have been purchased in this Colony for the supply of the pressing necessities of people belonging to some of the neighbouring governments and are now ready for transportation and prohibited by the present embargo: Resolved by this Assembly, that on proper application and satisfactory representation thereof made by the owner of such provisions or master of such vessel on board whereof the same may be laden, to his Honor the Governor, he is hereby desired to grant his permit for the transportation thereof to such place or places for which the same was designed.

Whereas this Assembly at a sessions in March last enacted that whatever money granted by Parliament for the services of this Colony in the years 1759 and 1760, that is not already appropriated for sinking and discharging bills of credit emitted in March, 1758, March, 1759, and March, 1760, should be appropriated for sinking the bills of credit emitted in May, 1759, and so far as it would go towards sinking the bills emitted in February, 1759, and the further direction concerning the same was referred to an after consideration: Whereupon it is considered, that sufficient provision is made at this time for sinking the bills emitted in May, 1759, with part of the money granted for the services in the year 1759. And as no provision is now made for sinking any part of the

bills emitted in February, 1759, so the Treasurer is hereby directed to send forth his warrants for collecting the whole of the tax of five pence on the pound made and ordered for sinking and discharging the last mentioned bills.

To the Hon^ble^ the General Assembly of the Colony of Connecticut now sitting in Hartford:

The committee appointed by your Honours to consider and report what further provision is necessary to be made for the soldiery in the service of this Colony who are ordered to the southward beg leave to report it as our opinion, that a sum not exceeding four hundred pounds in silver or gold, (if to be had) otherwise in bills, be delivered into the hands of General Lyman, and that he be directed to deliver the same out [502] according to his discretion for the necessity, comfort or refreshment of the troops under his command during the campaign; and what he may so deliver out to any other than the sick, to be delivered in such manner as that the receiver shall be accountable for what he shall so receive as part of wages; and that the said General Lyman on his return render his account of the disposition of said money and settle the same with the Committee of the Pay-Table. All which is submitted by your Honours humble servants. 21st May, 1762.

Signed per order, JABEZ HAMLIN.

The above report of the committee is accepted and approved by this Assembly.

Ordered, That the Treasurer of this Colony as soon as conveniently may be certify to this Assembly the balances due from all such towns as are deficient in payment of their country rates for the last or any preceding year; and also the names of all such towns as appear deficient in payment of excise, and an account of the particular years wherein such deficiencies have happened.

Resolved by this Assembly, That Samuel Talcott, Esq^r^, be desired to serve the Treasurer of this Colony with copies of the acts and resolves of this Assembly respecting his exhibiting accounts of the deficiencies of the collectors of the country rates and taxes, duties and excise, made in this present session, and the resolves and acts made in October last respecting the account of the Colonies bonds and credits delivered into the hands of the agents and king's attornies, and advise him that it is expected that he diligently observe the contents of said acts. And the Treasurer is hereby desired to call upon the several king's attorneys and agents for the

government who have received such bonds and credits for their accounts of their doings thereon.

Whereas this Assembly in some late sessions have had before them under consideration a bill for a law relative to Bankruptcy, committed the same to Jonathan Trumble, Esq^{r}, desiring him to inspect and correct the same as propriety should require, and this Assembly being informed that such amendment is not compleated: This Assembly do hereby further desire the said Trumble to proceed and compleat said bill in order for its passing into a law, and lay the same before this Assembly in October next.

This Assembly do desire and appoint Thomas Fitch jun. of Norwalk, Esq^{r}, to prepare a bill for an act for laying, regulating and farming out an Excise on spirituous liquors sold in this Colony, and for duly collecting and paying the same into the treasury of this Colony, and lay the same before this Assembly in October next.

Resolved by this Assembly, There be a second surgeon's-mate appointed for the first regiment of this Colony, which is now going into his Majesty's service in the ensuing campaign; and his Honour the Governor is hereby desired to give a warrant to some suitable person for that service.

[503] On the petition of William Richardson, of Newport in the county of Newport and Colony of Rhode Island, merchant, *vs.* Park Woodward, of Groton in the county of New London, now of Preston in said county, as on file: The question was put, whether the prayer of the said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £1 8s. 10d. lawful money.*

On the petition of George Wyllys, Esq^{r}., and Ann Burnham of Hartford in the county of Hartford, and Thomas Seymour of said Hartford, agent for and in behalf of the south church in said town of Hartford, *vs.* Robert Treat, Esq^{r}, Jane his wife, John Buckingham, Josiah Buckingham, Joseph Treat and Clemence his wife, Edmund Treat and Alice his wife, all of Milford in the county of New Haven, and the Rev. Daniel Buckingham, of Fairfield in the county of Fairfield, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents £2 3s. 2d. lawful money.*

On the petition of Thaddeus Marshal, of Greenwich in the county of Fairfield, *vs.* Jabez Sherwood and Martha Banks, both of Greenwich aforesaid, as executor and executrix of the last will and testament of Joseph Banks late of said

Greenwich, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is* £4 16*s.* 8*d. lawful money. Ex. granted May* 8*th*, 1762.

On the petition of Daniel Foot, of Colchester in the county of Hartford, *vs.* Abigail Lord, Patience Lord jun., Mary Lord, Sarah Lord, Elizabeth Lord, Ann Lord and Jerusha Lord, all of Colchester aforesaid, and the only surviving children and heirs of Ichabod Lord late of Colchester aforesaid, deceased, as on file: The question was put, whether the prayer of this petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is* £1 8*s.* 10*d. lawful money. Ex. granted March* 10*th*, 1763.

On the petition of Stone Mills, of Windsor in the county of Hartford, *vs.* Medinah Fitch of said Windsor, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £2 18*s.* 10*d. lawful money. Ex. granted July* 13*th*, 1762.

On the petition of Jonathan Atwood, of Woodberry in the county of Litchfield, *vs.* James Pelton, of Guilford in the county of New Haven, as on file: The question was put, whether the petitioner shall have the liberty of a new tryal of the case referred to his petition, as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent is* £2 9*s.* 0*d. lawful money. Ex. granted June* 16*th*, 1762.

On the petition of Timothy Hollister, of Glastonbury in the county of Hartford, *vs.* Stephen Hopkins, of a place called the Nine Partners in Dutchess county in the Province of New York, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £2 2*s.* 2*d. lawful money. Ex. granted July* 13*th*, 1762.

On the petition of Timothy Hollister, of Glastonbury in the county of Hartford, *vs.* Joseph Stephens of said Glastonbury as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £2 9*s.* 10*d. lawful money. Ex. granted July* 13*th*, 1762.

Cost allowed to Josiah Talcott, of Weathersfield in the county of Hartford, *vs.* Elijah Francis of Farmington in said county, executor of the last will and testament of James Francis late of said Weathersfield, deceased, for attendance

&c., to answer the petition of said Francis brought against him, which the petitioner, the said Elijah Francis, being duly called &c., did not appear to prosecute &c. is £2 0*s.* 6*d.* lawful money. *Ex. granted July* 13*th*, 1762.

[504] Cost allowed to Samuel Lancelot, of Weathersfield in the county of Hartford, *vs.* Ichabod Wetmore, of Middleton in said county, for attendance to answer the petition of said Wetmore brought against him and withdrawn, is £1 15*s.* 2*d.* lawful money. *Ex. granted July* 13*th*, 1762.

Cost allowed to Mary Isaacs, of Norwalk in the county of Fairfield, *vs.* Ralph Isaacs of said Norwalk, for her attendance &c. to answer the petition of the said Ralph, which he preferred against her and withdrew the same, is £4 5*s.* 11*d.* lawful money.

To the General Assembly of the Governor and Company of the Colony of Connecticut to be holden at Hartford on the 2d Thursday of May next:

Whereas Jonathan Pettibone, Esq^r, Messrs. Abel Merrils and Abraham Kellogg of New Hartford were appointed by the Honourable Assembly aforesaid in their sessions at New Haven on the 2d Thursday of October last, to be a committee, they or any two of them, to lay out a public road or highway, to begin at or near the dwelling-house of Samuel Durham in Torrington at the end of the highway already laid out from thence to the township of Winchester, near the course as the road now goes thrô said Winchester, near the house of Adam Mott or Jonathan Mott till it meet the country road in Norfolk, to be done according to their best discretion: We, the subscribers, being two of the aforesaid committee, with the help of Mr. Epaphras Sheldon, surveyor, 2 chainmen, and other necessary assistance, have on the 16, 17, 18 and 19th and 20th days of Nov^r., 1761, laid out the aforesaid public road or highway according to our best judgment and discretion: Beginning at the aforesaid house, lately Samuel Durhams now belonging to the Rev. Mr. Gold, at a rock about three rods west of the fore door, and run north 41 degrees west, allowing the road to lye south, 31 rods to a chestnut tree; thence north 3 degrees west 28 rods, to a heap of stones; thence N. 11 degrees west 48 rods, to a corner by John Burr at the highway; thence west 30 degrees N. 16 rods; then west 40 degrees north 20 rods; then north 30 deg. west 72 rod, to a stake and stones; thence N. 43 deg. west 28 rods, to a chestnut tree markt; thence N. 40 deg. west 12 rods, to a rock in the old path with stones on it; thence west 40 deg. N. 21 rods, to a white oak tree marked;

thence west 7 deg. N. 28 rods to a stake and stones : thence N. 4 deg. east 12 rods, to a hemlock tree marked ; thence N. 28 deg. east 14 rods, to a hemlock tree ; thence N. 11 deg. east 15 rods, to a dry hemlock tree south of the Still River ; thence N. 13 deg. west 8 rods to a hemlock tree ; thence N. 6 deg. east 12 rods, to a white birch tree ; thence N. 10 deg. west 8 rod, to a beach tree ; thence N. 30 deg. west 20 rods, to a white pine tree ; thence N. 21 deg. west 47 rods, to a great pine tree ; the road to this place is to be 4 rods wide from the east or north side, then allowed at the foot of the hill by Yale's mill to be 8 rod wide, and to this place from Burr's is 333 rods. Thence N. 39 deg. west 28 rods, to a chestnut tree marked ; thence west 38 deg. N. 28 rods, to a chestnut tree marked, and now it is to be but 6 rods wide ; thence N. 16 deg. west 37 rods, to a chestnut tree marked ; thence west 35 deg. N. 20 rods, to a chestnut tree marked ; west 12 deg. N. 16 rods, to the point of a rock ; thence west 40 deg. N. 24 rods, to a hard maple marked ; thence N. 24 deg. west 10 rods, to a beach tree marked ; thence N. 20 deg. west 18 rods, to a beach staddle marked ; thence W. 27 north 20 rods, to a stake and stones ; thence N. 30 deg. west 6 rods, to a hemlock tree marked ; the highway now is to be 4 rods wide. Thence west 40 deg. N. 19 rods, to a chestnut tree marked ; thence N. 37 west 24 rods, to a hemlock marked ; thence west 15 deg. N. 48 rods to a hemlock staddle marked ; thence west 16 rods, to a beach marked ; thence N. 35 west 12 rods, to a hemlock marked ; thence N. 25 deg. west 28 rods, to a chestnut tree marked ; thence N. 40 deg. west 22 rods, to a rock at Winchester bounds ; thence N. 12 deg. west 11 rods ; thence N. 39 deg. west 21 rods, to a beach tree marked ; thence west 34 deg. N. 11 rods, to a hemlock marked ; thence west 21 deg. N. 10 rods, to a chestnut tree marked ; thence N. 28 deg. west 21 rods, to a hemlock tree marked ; thence west 44 deg. north 15 rod, to a hemlock marked by the Spectacle Ponds ; thence west 46 N. 8 rods to a stake and stones ; thence N. 13 deg. W. 9 rods, to a birch tree marked ; thence N. 22 deg. west 17 rods, to a beach tree marked ; thence N. 32 deg. west 40 rods. to a dry hemlock marked ; thence west 45 deg. N. 12 rods, to a hemlock and stones ; thence west 32 N. 11 rods, to a birch tree by the brook at the end of the lots ; thence N. 25 deg. west 7 rods, to a birch tree marked ; thence west 37 north 27 rods, to a white ash tree marked ; thence W. 30 deg. N. 7 rods to a chestnut tree marked ; thence N. 30 deg. west 9 rods, to a stake and stones ; thence west 20 deg. N. 17

rods, to a chestnut marked; thence N. 30 deg. west 26 rods, to Hosmer's lot; thence 5 rod the same point to a beach staddle marked; thence west 38 deg. N. 27 rods to a chestnut marked; thence west 27 deg. N. 22 rods, to a chestnut tree marked; thence west 2 deg. N. 12 rods, to a red oak marked; thence west 25 degrees north 33 rods, to a beach staddle marked; thence west 18 deg. south 16 rods, to a hem-
[505] lock marked; thence west 5 deg. N. 12 rods, to a dry‖ hemlock marked; thence west 32 deg. N. 17 rods, to a birch tree marked; thence west 8 rods, to a chestnut tree marked; thence N. 45 west 16 rods, to a hemlock marked; thence N. 4 deg. west 13 rods, to a chestnut tree marked; thence N. 25 deg. west 15 rods, to a chestnut tree marked; thence N. 40 deg. west 23 rods, to a log house; thence west 43 deg. N. 44 rods, to the southwest corner of Mott's lot by his house; thence N. 20 deg. west 45 rods to a high stub marked and stoned; thence N. 37 deg. west 16 rod to a hemlock stoned; thence N. 42 deg. west 20 rods, to a birch and stones; thence N. 31 deg. west 13½ rods to a beach and stones; thence N. 26 deg. west 13 rod, to a birch staddle and stones; thence west 40 deg. N. 28 rods to a hemlock and stones; thence N. 30 deg. west 52 rods, to a maple and stones; thence N. 41 west 23 rods, to a chestnut staddle and stones; thence west 25 deg. N. 19 rods to a chestnut and stones; thence west 15 deg. N. 35 rods, to a beach and stones; thence N. 40 deg. west 25 rods, to a hemlock and stones; thence N. 30 deg. west 15 rods, to a birch tree and stones; thence N. 30 deg. west 22 rods, to a hemlock and stones; thence N. 40 deg. west 36 rods, to a great chestnut and stones; thence N. 19 deg. east 34 rods, to a beach staddle in the end of the Govrs lot and stones; thence N. 5 deg. east 20 rods, to a hard maple and stones; thence N. 9 deg. west 80 rods, to a little beach staddle and stones; thence N. 1 deg. east 31½ rods, to a beach tree and stones; thence N. 15 deg. east 12 rods, to a birch tree and stones; thence N. 19 deg. west 29 rods, to a beach tree and stones; thence N. 7 deg. west 38 rods, to a great rock; thence N. 6 deg. west 29 rods, to a beach tree by a rock; thence N. 16 deg. west 21 rods to a hemlock staddle and stones; thence N. 4 deg. west 83 rods, to an ash tree north of old Mr. Mott's and stones; thence north 35 deg. west 23 rods, to a birch staddle by a rock; thence N. 13 deg. west 23 rods, to beach tree and stones; thence N. 11 deg. east 13 rods, to a white ash tree and stones; thence N. 22 deg. west 16 rods, to a maple tree and stones; thence N. 16 deg. west 15 rods to a hemlock and stones; thence N. 28 deg.

west 47 rods to a hemlock and stones; thence west 4 deg. south 15 rods, to a birch tree and stones; thence N. 15 deg. west 24 rods, to a chestnut tree and stones; thence west 35 N. 18 rods, to a maple tree and stones; thence N. 20 deg. west 19 rods, to a beach tree and stones; thence north 23 degrees west 19 rods, to a birch tree and stones; thence N. 17 deg. west 24 rods, to a hemlock and stones; thence N. 30 deg. west 19 rods, to a hemlock staddle and stones; thence west 7 deg. N. 12 rods, to a great hemlock tree; thence west 21 deg. N. 9 rods, to a birch tree and stones; thence west 9 deg. N. 19 rods, to a stake and stones at Norfolk line. The public road or highway is laid out on the south and west side of the aforesaid line.

JONATHAN PETTIBONE, ABEL MERRILS, *Committee.*
EPAPHRAS SHELDON, *Surveyor.*

Which report is accepted and approved by this Assembly.

This Assembly grants to his Hon^r^ the Governor the sum of one hundred and fifty pounds, for his salary for the first half of the current year.

This Assembly grants to his Hon^r^ the Deputy Governour the sum of fifty pounds, for his salary for the first half of the current year.

This Assembly grants to the Treasurer of this Colony the sum of one hundred pounds, for his salary the last year.

This Assembly grants to the Treasurer of this Colony the sum of sixty pounds, for his extraordinary services the last year.

This Assembly grants to the Secretary of this Colony the sum of twenty pounds, for his salary the last year.

[506] This Assembly grants to Timothy Green of New London, printer, the sum of twenty-two pounds fifteen shillings, for his last half year salary and for sundry other charges, in full of his account to this time; and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly allows to Thomas Green of New Haven the sum of seven pounds eight shillings, for printing inlistments, proclamations, &c., in full of his account to this time; and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly appoints John Chester and Daniel Edwards, Esq^rs^, Col. Samuel Talcott and Maj. William Pitkin, to attend his Hon^r^ the Deputy Governor at Hartford, to hear the records of the acts and doings of this Assembly publicly read and see the same signed by the Secretary as perfect and compleat.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Signed by GEORGE WYLLYS, Secretary.

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[507] *Anno Regni Regis Georgii tertii secundo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER BEING THE [FOURTEENTH] DAY OF SAID MONTH AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE FIFTH DAY OF NOVEMBER NEXT FOLLOWING, ANNOQUE DOMINI 1762.

Present:

The Honourable Thomas Fitch, Esq^{r}, *Governor.*

The Hon^{ble} William Pitkin, Esq^{r}, *Deputy Governor.*

Ebenezer Silliman,	Daniel Edwards,	Esq^{rs}, *Assistants.*
Jonathan Trumble,	Jabez Hamlin,	
Hezekiah Huntington,	Matthew Griswold,	
Andrew Burr,	Shubael Conant,	
John Chester,	Elisha Sheldon,	
Benjamin Hall,	Eliphalet Dyer,	

Representatives or Deputies who attended this Assembly are as follow, viz:

Col. Samuel Talcott, Maj William Pitkin, for Hartford.
Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.
Capt. Pygan Adams, Capt. Jeremiah Miller, for New London.
Mr. David Rowland, Mr. David Burr jun., for Fairfield.
Mr. Samuel Gray, Capt. Jonathan Rudd, for Windham.
Col. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.
Capt. Jabez Huntington, Mr. Ebenezer Hartshorn, for Norwich.
Col. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.
Col. David Whitney, Capt. Charles Burril, for Canaan.
Col. Robert Walker, Mr. Ichabod Lewis, for Stratford.
Capt. John Fowler, Mr. Robert Treat, for Milford.
Capt. John Strong, Mr. Solomon Whitman, for Farmington.
Mr. Eliphalet Comstalk, Mr. Nathan Eliot, for Kent.
Capt. Samuel Morgan, Col. Samuel Coit, for Preston.
Mr. Nathan Gaylord, Mr. Bushnel Bostwick, for New Milford.
Mr. John Everts, for Salisbury.
Capt. John Williams, Capt. Caleb Jewit, for Sharon.
Capt. Isaac Pinney, Mr. Samuel Davis, for Stafford.
Capt. John Douglas, Mr. James Bradford, for Plainfield.

Mr. Jonas Prentice, Mr. Charles Phelps, for Stonington.
Mr. Hezekiah Brainard, for Haddam.
Mr. Joseph Strong jun., for Coventry.
Mr. Joseph Sexton, for Sommers.
Mr. Hezekiah Humphry, Capt. Jonathan Pettibone, for Symsbury.
Capt. Abel Gun, Mr. Charles French, for Derby.
[508] Capt. Joshua West, Capt. Ignatius Barker, for Lebanon.
Mr. David Strong, for Bolton.
Capt. Joseph Olmsted, Mr. Edward Collins, for Enfield.
Capt. Timothy Judd, Mr. John Lewis, for Waterbury.
Capt. Isaac Kellogg, Capt. Matthew Gillet, for New Hartford.
Capt. Zebulon West, Capt. Samuel Chapman, for Tolland.
Mr. John Lay 2d, Mr. Samuel Holden Parsons, for Lyme.
Mr. Peter Lockwood, Mr. Nathaniel Benedict, for Norwalk.
Mr. Daniel Foot, Mr. John Hopson, for Colchester.
Mr. Richard Fairman, Mr. Caleb Baldwin, for Newtown.
Col. Ebenezer Williams, Mr. Jeremiah Scarborough, for Pomfret.
Mr. John Kimberly, Mr. William Wells, for Glastonbury.
Capt. Jonathan Belding, Capt. Elisha Williams, for Weathersfield.
Col. Timothy Stone, Mr. Samuel Robinson, for Guilford.
Mr. Daniel Sherman, Mr. Benjamin Stiles, for Woodbury.
Col. Aaron Eliot, Capt. John Pierson, for Killingworth.
Mr. Dudly Woodbridge, Capt. William Williams, for Groton.
Capt. Hezekiah Whittlesey, Capt. John Murdock, for Saybrook.
Mr. Benjamin Chaplin, Mr. Edmond Freman jun., for Mansfield.
Capt. James Wadsworth, Col. Elihu Chauncey, for Durham.
Mr. Luther Gay, Capt. Samuel Danielson, for Killingly.
Capt. Benjamin Sumner, Mr. Benjamin Clark, for Ashford.
Mr. Jonathan Coe, for Torrington.
Capt. Samuel Nash, Capt. Ebenezer Norton, for Goshen.
Capt. Samuel Kent, Mr. Phineas Sheldon, for Suffield.
Capt. Robert Dixon, Mr. John Gordon, for Voluntown.
Mr. Josiah Rogers, Mr. Ithiel Russel, for Branford.
Capt. Obadiah Johnson, Capt. Jabez Fitch, for Canterbury.
Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwall.
Mr. Samuel Olmstead, Mr. Stephen Smith, for Ridgfield.
Capt. Nehemiah Lyon, Mr. Ebenezer Smith jun., for Woodstock.
Mr. Seth Wetmore, Mr. Matthew Talcott, for Middleton.
Mr. Charles Whittlesey, Capt. Samuel Hulls, for Wallingford.
Capt. Samuel Gilbert, for Hebron.
Capt. Josiah Bissell, for Windsor.

Mr. Daniel Catling, for Harwington.
Col. Joseph Spencer, for East Haddam.
Mr. John Clap, for Greenwich.
Mr. Comfort Starr, for Danbury.

Capt. Jabez Huntington, Speaker } of the House of Rep-
Mr. Abraham Davenport, Clerk } resentatives.

[509] An Act for raising by Voluntary Enlistment two hundred and twenty-six effective Men including Officers for garrisoning the several Forts on this Continent and for the Protection of the Frontiers and keeping up the necessary Communication through the Country during the ensuing Winter and until the first Day of July next.

Whereas his Honour the Governor has communicated to this Assembly a letter from his Excellency General Amherst of the 4th of August last, therein requesting the continuance of a number of the troops in the pay of this Colony during the ensuing winter, for the protection of the several forts and country in general: This Assembly being sensible of the importance of the service aforesaid and desirous to promote the same,

It is therefore resolved and enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That there be proper incouragement given for the new enlisting two hundred and twenty-six able-bodied men, including officers, *viz:* two captains and four lieutenants of the troops now in the pay of this Colony, * or others in case such are not to be obtained, to continue during the ensuing winter and until the first day of July next, (unless his Majesty's service will admit of their being released sooner. And for the encouragement of such inlisting, each non-commissioned officer and soldier shall have a bounty of three pounds, which with one months advance pay shall be paid him upon enlistment; and that each commission officer shall also have advanced one months pay upon his being commissioned or appointed for said service; which advance pay for both officers and soldiers shall be the same as in the present campaign with the addition of forty shillings per month to each captain, and twenty shillings per month to each lieutenant, to commence from the first day of December next and to continue during the service.

And his Honour the Governor is desired, in such manner as he shall think proper, to inform the troops of this Colony now in camp at Crown Point the purport of this act and order, and direct the principal officer to use his influence with the soldiery to incourage the inlistment aforesaid, and generally to do everything necessary to carry this act into execution.

* The officers who served were, Capt. Thomas Pearce, Lieutenants Levi Wells and David Rumsey, in one company, and Capt. Joseph Hait with Samuel Mott and Moses Smith as lieutenants in the other company. Ebenezer Jesup served as surgeon. *War*, X, 175, 179, 188.

This Assembly having determined to encourage the new enlisting two hundred twenty-six men, including officers, for garrisoning the several forts on this continent and for the protection of the frontiers during the ensuing winter,

It is now resolved by this Assembly, That the Committee of the Pay-Table be directed, and they are hereby directed, to draw orders on the Treasurer of this Colony to pay and deliver to Captain Thomas Pierce of Col. Whiting's regiment the sum of fourteen hundred pounds in bills of this Colony, to be by him delivered over to Col. Nathan Whiting at Crown Point, out of which sum the said Col. Whiting is hereby directed to pay to the officers that shall be appointed to stay during the winter &c., and to the soldiers who shall anew enlist for said service, the several sums ordered them by an act of the General Assembly made and passed this sessions, taking proper receipts therefor; and the remainder to be improved by the said Col. Whiting according to his discretion, for the comfortable return home of the regiment under his command. And what money he shall pay out on the last mentioned service he is directed to pay in such manner as that the receivers shall account for the same as part of their wages. And the said Colonel Whiting to account for the whole with the Committee of the Pay-Table on his return home.

Resolved by this Assembly, That the Secretary be directed, with the assistance of the attornies concerned or otherwise as he shall think best, to take an account of the several petitions and memorials that are of a private nature between party and party, which are entered for hearing at this Assembly, and allowing one, two or more as he shall judge convenient, to be heard on each day successively; that he enter and put down the same in a list or docket accordingly, assigning such certain number to each day as aforesaid. And his Honour the Governor is desired to call on such petitions and memorials to be heard according to such list or docket, and in the forenoon of the respective days assigned as aforesaid, unless for [510] want of time any should remain unheard in the forenoon, | then the same to come on the next succeeding afternoon, or as soon after as may be; and that all pleas of abatement shall be made in writing and delivered to the adverse party or his council the day before the same is assigned for hearing: Provided nevertheless, that if the parties concerned in any cause shall mutually consent to have the same come on at any other time than here specified and acquaint his Honour the Governor therewith, and it be found that the same may be

done consistently with the other business of the Assembly, in that case his Honour will permit the same to be done, if he shall think proper.

An Act in Addition to and for the Alteration of an Act entituled An Act concerning Petitions and Prayers or Memorials to the General Assembly; also of an Act entituled An Act for the Directing and Regulating of Civil Actions.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no petitions shall hereafter be preferred to this Assembly but such as do contain a prayer for relief in some matter of equity, or such as complain of error in the judgment and proceedings of some of the courts of common law.

And be it enacted by the authority aforesaid, That the superior and county courts in this Colony shall and may, from time to time as occasion shall require and as shall by them be judged reasonable and proper, grant new trials of causes that shall come before them, for mispleading, or on discovery of new evidence, or for other reasonable cause appearing, according to the common and usual rules and methods in such cases.

And be it further enacted by the authority aforesaid, That from and after the rising of this Assembly there shall not be allowed any review of any cause thence after to be commenced and brought in any of the courts of law in this Colony.

An Act for enlarging and establishing the Fees of the Judges of the respective County Courts in this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future the judge of each county court shall have for his service while attending such court *per diem* nine shillings, and each justice of quorum the sum of seven shillings *per diem*.

An Act for enlarging and establishing the Jury's Fees for trying Actions.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future the jury's fees for trying of each action at the superior or county courts shall be twenty-four shillings.

An Act for reviving an Act of this Assembly made and passed in their Sessions in May Anno Domini 1761, entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in May last that the aforesaid act should continue in force until the rising of this Assembly, and no longer: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act, entituled An act in further addition to the law entituled An act providing in case of sickness, be revived,

and the same is hereby revived, and shall continue and be of force until the rising of this Assembly in October next, and no longer.

This Assembly do appoint and impower Richard Jackson, of Inner Temple London, Esq^r, Attorney for the Governor and Company of this Colony, to receive all such money as is or may be found due and coming to this Colony from the estate of Richard Partridge of London, Esq^r, deceased, by order of [511] law or otherwise, and give the proper and || necessary receipts and discharges therefor accordingly. And it is hereby ordered, that a proper instrument of procuration or letter of attorney be made in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully impowering the said Richard Jackson, Esq^r., for the purpose aforesaid.

The Gentlemen nominated by the Freemen of this Colony to stand for Election in May 1763 are as follow, viz:

The Honourable Thomas Fitch, Esq^r,
The Hon^ble William Pitkin, Esq^r.

Ebenezer Silliman, Esq^r,	Shubael Conant, Esq^r,
Jonathan Trumble, Esq^r,	Elisha Sheldon, Esq^r,
Hezekiah Huntington, Esq^r,	Eliphalet Dyer, Esq^r,
Andrew Burr, Esq^r,	Phineas Lyman, Esq^r,
John Chester, Esq^r,	Capt. Jabez Huntington,
Benjamin Hall, Esq^r,	Mr. Roger Sherman,
Daniel Edwards, Esq^r,	Col. Robert Walker,
Jabez Hamlin, Esq^r,	Mr. David Rowland,
Matthew Griswold, Esq^r,	Mr. Jared Ingersoll.

Whereas this Assembly at the sessions in May last did appoint and impower the Hon^ble William Pitkin, Esq^r, John Chester and George Wyllys, Esq^rs, to be a committee to sell thirty-five thousand pounds sterling granted by Parliament and ordered to be paid this Colony on account of its services in the year 1760, for its full value in silver, gold, or bills of credit of this Colony emitted by act of this Assembly in March, 1760, or any antecedent bills of credit of this Colony excepting the bills emitted in February, 1759, and on certain intelligence that said money is received by the Agent of this Colony to proceed to the sale; and this Assembly is informed by letter from Mr. Agent Jackson that he hath received on the account of the Colony for the services in 1760, the sum of £44309 18*s.* 0*d.*, whereby it appears that the residue, being the sum of £9309 18*s.* 0*d.*, remains to be disposed of: Whereupon this Assembly do appoint and impower the said committee to sell the sum of eight thousand pounds sterling of the above-mentioned resi-

due, for its full value in silver, gold, or bills of credit of this Colony emitted by act of Assembly in February, 1759, to any person or persons that shall appear and pay the value thereof into the treasury of this Colony. And the Treasurer's receipt thereof produced to said committee, they shall lodge the same with the Secretary and certify his Honour the Governor of their doings thereon, who is hereby desired and impowered, on receipt of such certificate, to draw bills of exchange on the Agent in London in favour of such purchaser or purchasers for the sum or sums so certified.

Whereas this Assembly have appropriated the sum of £8000 sterling of the residue of the money received by Mr. Agent Jackson on account of the Colony for the service in the year 1760, to sink and discharge the value thereof in bills [512] of credit of this Colony emitted by act of Assembly in ‖ February, 1759, whereby the tax of five pence on the pound granted by this Assembly in February, 1759, and ordered to be levied on the polls and rateable estate in this Colony according to the list thereof brought into this Assembly in October, 1761, with the additions, and collected and paid into the treasury of this Colony by the last day of December, 1762, for sinking and discharging said bills, may be lessened or abated two pence on the pound, and the remaining three pence on the pound will sink and discharge all the remainder of said bills: Whereupon this Assembly do enact and order, that the said tax of five pence on the pound be and hereby is lessened or abated two pence on the pound, and that only three pence on the pound of said tax be levied, collected and paid into the treasury of this Colony for sinking and discharging the said bills of credit emitted by act of this Assembly in February, 1759, aforesaid. And the Treasurer of this Colony is hereby directed and ordered forthwith to send out his warrants to the constables in the several towns in this Colony, to levy and collect three pence on the pound on the list aforesaid and additions, in lieu of the five pence aforesaid; and the warrants already by him sent forth to levy and collect five pence on the pound, as aforesaid, be and the same are hereby disannulled and made void.

An Act in Addition to and Alteration of an Act passed in this Assembly in May Anno Domini 1761, appointing a Committee to make Distribution of the Bonds given for the Sale of the Township of Norfolk.

This Assembly observing that sundry difficulties have attended and are likely to attend the method directed to in said act: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,

That the said committee proceed to distribute the said bonds to and among the several towns in this Colony who made and computed a list in the year 1732, as well those entered on the public records as those whose totals are not there entered, in proportion to said lists. And the said committee shall deliver the bonds to the representatives or agents of the respective towns, together with an account stated of the same, taking receipts for the same, which receipts shall be lodged with the Secretary.

And it is further enacted, That the said representatives or agents are hereby ordered to deliver said bonds to the selectmen or school-committee, if any such there be, in those towns where there was but one society, and to the respective society committees, or school-committees, if any be, where there was more than one society in the aforesaid year of 1732, in proportion to the list of said year, taking receipts of such selectmen or committees for the respective sums delivered to them, to be improved for the support of such school or schools in such town or society as are by law to be there kept pursuant to an act of this Assembly entituled An act for the encouragement and better support of schools that by law ought to be kept in the several towns and societies in this Colony, and return such receipts to the Secretary on or before the first of June next, upon receipt whereof the Secretary shall deliver up to such representatives or agents their receipts lodged as aforesaid. And if any dispute shall arise between societies in any town respecting the proportion each society ought to have, and the committees of such societies cannot agree to adjust the same, it shall be the duty of such representatives or agents to call in the assistance of two justices of the peace dwelling in some of the next neighbouring towns in the same county, who shall give notice of time and place to the committees of the respective societies that they may be heard, and such justices shall determine by their discretion the proportion of each society, the charges whereof shall be paid by the societies in such proportion as the said justices shall determine.

[513] And whereas the bonds to be divided are many of them large, and the committee have found it necessary, in order to balance the several accounts, to set part of the contents of some of the bonds to one town and part to another: Therefore,

It is resolved and enacted, That the selectmen or committee of such town or society that shall receive any bond the contents whereof is partly set to any other town, it shall be the duty of such selectmen or committee to pay over and deliver

such part so set to any town, when they shall have recovered the same, to the selectmen or committee of such town to whom the same is set, together with the lawful interest on such sum from the 23d of February *anno Dom.* 1762. And they are hereby authorised to demand and receive the same.

Resolved by this Assembly, That the town of Willington and the town of New Fairfield be ordered, and they are hereby ordered, to send to the General Assembly at their sessions in May next the sum total of their respective general lists of polls and rateable estate of the said towns respectively, as taken by the respective listers of said towns for this present year 1762, properly certified by the respective listers of the said towns, together with the additions. And the Secretary is hereby directed to send a copy of this act to the town-clerk of each of the said towns, seasonably, that they may be noticed hereof.

The Sum Total of the Lists of the several Towns in this Colony as sent into the General Assembly at New Haven October 1762.

Hartford,	£39561	2	0		New Haven,	£54523	1	3
New London,	33519	13	0		Fairfield,	57158	7	9
Windham,	29472	8	4		Litchfield,	18221	14	0
Norwich,	57042	2	3		Stamford,	29437	16	7
Canaan,	11306	4	0		Stratford,	43419	0	0
Milford,	26630	10	5		Farmington,	48616	16	0
Kent,	11780	0	0		Preston,	20071	15	9
New Milford,	18850	12	0		Salisbury,	12314	2	9
Sharon,	11870	10	0		Stafford,	6861	4	6
Plainfield,	12731	19	0		Stonington,	33693	9	0
Haddam,	13592	12	9		Coventry,	19279	14	1
Somers,	6801	5	0		Symsbury,	21555	5	6
Derby,	13972	11	5		Lebanon,	38531	2	0
Bolton,	9125	18	0		Enfield,	9737	4	0
Waterbury,	26107	19	5		New Hartford,	6147	12	6
Tolland,	10739	15	0		Lyme,	25026	17	8
Norwalk,	35828	13	8		Colchester,	27577	16	0
Newtown,	16892	19	4		Pomfret,	22489	3	0
Glastonbury,	13723	17	2		Wethersfield,	29795	1	6
Guilford,	28981	19	2	2	Woodbury,	40436	17	7
Killingworth,	16405	18	1		Groton,	23747	13	6
Saybrook,	21689	0	10		Mansfield,	17705	19	3
Durham,	10056	13	1	2	Killingly,	23237	10	0
Ashford,	13125	13	6		Torrington,			
Goshen,	8492	0	0		west side,	3986	0	0
Voluntown,	10656	12	0		east side,	1476	2	0
Canterbury,	17651	15	0		Suffield,	17391	2	0
Ridgfield,	14000	0	0		Branford,	22571	11	7½

Middletown,	52122	18	0	Cornwall,	5531	4	0
Hebron,	17517	1	6	Woodstock,	18800	0	0
Windsor,	41284	14	6	Wallingford,	43763	17	10½
Greenwich,	21405	0	11	Harwington,	5343	5	0
East Haddam,	22315	6	9	Danbury,	22146	9	1

Whereas by an act of this Assembly at their sessions in May last, for the encouragement of the raising five hundred and seventy-five effective men to enlist themselves in the regular troops for his Majesty's service, a premium of seven [514] pounds lawful money to each man enlisting and || approved of was granted, which by said act was limited to the fifteenth day of August last; and whereas said number are not yet compleated, and this Assembly, willing still to afford all reasonable incouragement for the purpose aforesaid, do therefore resolve, that the act aforesaid with the incouragement therein be and the same is hereby continued to be in force until the 15th day of March next, unless said numbers shall be before that time compleated.

This Assembly grants to a quarter-master for the regiment who shall tarry at Crown Point thro' the winter * the sum of three pounds per month.

Whereas this Assembly in their sessions at Hartford in May, 1760, resolved and ordered that the highway then lately ordered to be laid out from Symsbury thro' the towns of New Hartford, Bark Hempstead, Winchester, Colebrook and Norfolk, should be by said towns cleared and made feasible for traveling &c. by the 20th of November, 1761, and appointed Captain Daniel Lawrence jun., of Canaan, and Messrs. Martin Smith jun., of said New Hartford, and Oliver Humphry, of said Symsbury, to take care thereof &c.; and whereas this Assembly are informed that altho' said highway hath been well described and ascertained, and in some considerable measure laid open and cleared, yet much still remains to be done by said towns or some of them, to render said road feasible to the purposes of travel and transportation: It is thereupon further resolved, that the said towns and proprietors do, as soon as may be, take effectual care of said highway, to render the same feasible as aforesaid, and that the abovenamed committee be and they hereby are anew appointed and impowered, (agreeable to their former authority,) to take care and see that said highway be finished as abovesaid by the 20th of November, 1764, or sooner if found practicable.

Whereas a representation hath been made to his Honour the Governor of the unjustifiable conduct of Capt. Edward

* Levi Wells served in this capacity, *War*, x, 185.

Converse of Killingly, a captain of the militia, in endeavouring to secrete some deserters from his Majesty's regular service in June last, and enquiry being made into the conduct of said captain by his Honour's direction and evidence being taken relative thereto and exhibited to this Assembly, the said Capt. Converse appearing before this Assembly and confessed the facts alledged against him and pleaded inadvertency and want of due consideration of the evil of such a practice and the fatal consequences that might follow therefrom, which he is now sensible of, and professing sincere repentance therefor, and with promises of reformation humbly asks forgiveness: This Assembly taking into consideration the matters aforesaid, and being certified of the antecedent good conduct and regular behaviour of the said Captain Converse, and relying on the sincerity of his repentance and that such conduct for the future will be carefully avoided, do therefore resolve and order, that the said Captain Converse be dismissed on his paying of the cost that hath already arisen, which is the sum of two pounds seventeen shillings and eight pence.

It being represented to this Assembly that there might, without great difficulty or cost, be a new highway made to cart and travel in from Woodbury to New Haven, passing through the society of Oxford, by or near the meeting-house in said society, which would be near five miles nearer and much better than the country road now commonly used which passes through Darby: It is therefore resolved by this Assembly, that Messrs. Roger Sherman, Benjamin Stiles and Stephen Upson jun. be and they are hereby appointed a committee to repair to and view the land from the court-house in New Haven to the meeting-house in the society of Southbury in said Woodbury, and find out the best place for a public highway for travelling and carting from the one of said places to the other; and if they find that there may be a new highway made that will be much shorter and better than the road now used, and judge that it will be of common conveniency and advantage, that they mark out the same in the best and most convenient place and a particular description thereof make, [515] and thereof and their opinion thereon || make report to the General Assembly to be holden at Hartford in May next, at the cost of the several towns through which the said road passeth.

Christopher Christophers' cost on account of dieting John Knight, a prisoner in New London goal: To dieting the said John Knight in prison from the 21st of October, 1761, to the 14th of October, 1762, in the whole fifty-one weeks, at 4*s.* per week, £10 4*s.* 0*d.* This Assembly allows the above account

of ten pounds four shillings, and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Whereas upon the memorial of Joel Hotchkiss and others, inhabitants of the northern parts of the parish of Amity in the town of New Haven, praying to be made a distinct ecclesiastical society with proper limits &c., (exhibited to this Assembly at their sessions in May last,) Elisha Sheldon, Daniel Sherman and Moses Lyman, Esq^{rs}, were appointed a committee to repair to said parish, view the circumstances thereof together with the adjoyning lands, hear all parties and make report of what they shall find in the premises, with their opinion respecting the memorialists being made a distinct society &c., to this Assembly at their present sessions; and whereas said committee have not been able to attend the service aforesaid, and the aforesaid Elisha Sheldon, Esq^{r}, not being able yet to attend without great inconveniency: It is therefore resolved by this Assembly, that Bushnel Bostwick, Esq^{r}, of New Milford, be and he is hereby appointed in the room and stead of the aforesaid Elisha Sheldon, Esq^{r}, to joyn with the aforesaid Daniel Sherman and Moses Lyman, Esq^{rs}, to perform the service aforesaid; who are hereby directed to make report of their doings thereon to this Assembly at their present sessions.

This Assembly do establish Mr. Israel Castle to be Captain of the 3d military company or trainband in the town of Woodbury.

This Assembly do establish Mr. Joseph Selden to be Captain of the 3d military company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Daniel Ventrous to be Lieutenant of the 3d military company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Ezra Ely to be Captain of the 3d company or trainband in the town of Lyme in the 3d regiment in this Colony.

This Assembly do establish Mr. Enoch Lord to be Ensign of the 3d company or trainband in the town of Lyme in the 3d regiment in this Colony.

This Assembly do establish Mr. Ebenezer Baldwin to be Captain of the 11th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Zabdiel Rogers to be Lieutenant of the 11th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Uriah Rogers to be Ensign

of the 11th company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Abner Baldwin to be Lieutenant of the 2d company or trainband in the town of Litchfield.

This Assembly do establish Mr. Lynde Lord to be Ensign of the 2d company or trainband in the town of Litchfield.

This Assembly do establish Mr. Daniel Hide jun. to be Ensign of the 3d company or trainband in the town of Norwich in the 3d regiment in this Colony.

This Assembly do establish Mr. Ebenezer Spaulding to be Captain of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Eaton to be Lieutenant of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Dyer to be Cornet of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Simon Shepard to be Quarter-Master of the troop of horse in the 11th regiment in this Colony.

[516] This Assembly do establish Mr. Nehemiah Smith to be Ensign of the 8th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Daniel Holt to be Lieutenant of the 10th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. William Simes to be Captain of the company or trainband in the society of Andover in the 12th regiment in this Colony.

This Assembly do establish Mr. Benjamin Buel to be Lieutenant of the company or trainband in the society of Andover in the 12th regiment in this Colony.

This Assembly do establish Mr. Ichabod Lewis to be Captain of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Mr. John Moss to be Lieutenant of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Mr. Joseph Tomlinson to be Cornet of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Mr. Samuel Blackman to be Quarter-Master of the troop of horse in the 4th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Daniel to be Captain of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Johnson to be Lieutenant of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Felshaw jun. to be Ensign of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Page to be Quarter-Master of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. John Glover to be Captain of the 1st company or trainband in Newtown in the 4th regiment in this Colony.

This Assembly do establish Mr. Edmond Beach to be Lieutenant of the east company or trainband in Goshen.

This Assembly do establish Mr. Abraham Pamely to be Ensign of the east company or trainband in Goshen.

This Assembly do establish Mr. Nathan Hubbell to be Captain of the company or trainband in Wilton in the town of Norwalk in the 9th regiment in this Colony.

This Assembly do establish Mr. Joel Jones to be Captain of the south company or trainband in the 1st society in Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Adam Waters to be Lieutenant of the south company or trainband in the 1st society in Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Silas Pepoon to be Ensign of the south company or trainband in the 1st society in Hebron in the 12th regiment in this Colony.

This Assembly do establish Mr. Samuel Waklee to be Captain of the company or trainband in Stratfield in the 4th regiment in this Colony.

This Assembly do establish Mr. John Burr to be Lieutenant of the company or trainband in Stratfield in the 4th regiment in this Colony.

[517] This Assembly do establish Mr. John Mackall to be Captain of the 16th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Jonah Cone to be Lieutenant of the 16th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Aaron Cleavland to be Ensign of the 16th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Benjamin Fenn jun. of Milford to be Captain of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. John Beecher of New Haven to be Lieutenant of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. Ezekiel Haze of Branford to be Cornet of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. Philo Mills of Derby to be Quarter-Master of the troop of horse in the 2d regiment in this Colony.

This Assembly do establish Mr. Eleazer Starr to be Ensign of the 2d company or trainband in Danbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Timothy Hill to be Captain of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Moses Blachley to be Lieutenant of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Thomas Wilcocks to be Ensign of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Vetch Williams to be Quarter-Master of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Higley to be Ensign of the 1st company or trainband in Symsbury in the first regiment in this Colony.

This Assembly do establish Mr. Phineas Chapman to be Captain of a company or trainband in Fairfield west parish in the 4th regiment in this Colony.

This Assembly do establish Mr. Samuel Morehouse to be Lieutenant of a company or trainband in Fairfield west parish in the 4th regiment in this Colony.

This Assembly do establish Mr. Thomas Couch to be Ensign of a company or trainband in Fairfield west parish in the 4th regiment in this Colony.

This Assembly do establish Mr. David Welles to be Captain of the south company or trainband in the 1st society in Colchester in the 12th regiment in this Colony.

This Assembly do establish Mr. John Caverly to be Lieutenant of the south company or trainband in the 1st society in Colchester in the 12th regiment in this Colony.

This Assembly do establish Mr. Israel Newton to be Ensign of the south company or trainband in the 1st society in Colchester in the 12th regiment in this Colony.

This Assembly do establish Mr. Selah Hart to be Ensign of the 7th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Phineas Judd to be Captain of the 13th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Isaac Lee to be Lieutenant of the 13th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. John Judd to be Ensign of the 13th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Benjamin Dunning to be Captain of the company or trainband in Newbury in the 4th regiment in this Colony.

[518] This Assembly do establish Mr. Robert Bostwick to be Lieutenant of the company or trainband in Newbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Peter Hubbel to be Ensign of the company or trainband in Newbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Joseph Enos to be Ensign of the 11th company or trainband in the 5th regiment in this Colony.

This Assembly do appoint George Wyllys, Esq^{r}, to be Colonel of the first regiment in this Colony.

This Assembly do appoint William Pitkin jun. Esq^{r}, to be Lieutenant-Colonel of the first regiment in this Colony.

This Assembly do appoint Erastus Wolcott, Esq^{r}, to be Major of the first regiment in this Colony.

This Assembly do establish Mr. Samuel Holt to be Lieutenant of the 2d company or trainband in Wallingford.

Upon the petition of Ann Morison, widow and relict of Doct. Normand Morison late of Hartford, deceased, and one of the executors of the last will of the said Normand, also late widow and the only surviving executor of Capt. John Smith formerly of said Hartford, deceased, and George Smith, William Smith, Robert Nevins and Mary his wife, all of said Hartford, said George, William and Mary being the only children and heirs of said deceased John, and Daniel Marsh jun. and Ann his wife, and John Walker and Marion his wife, and William Knox and Jennet his wife of said town, the said Ann, Marion and Jennet the only children, and Normand Morison and Margaret Morison grandchildren of said deceased Normand, the said grandchildren being minors appearing by their

guardian the said widow Ann Morison; representing to this Assembly that the said Normand and Ann Morison as executors of the said deceased John Smith, the said Normand in right of his said wife having had the care and management of divers sums of money and estate belonging to the said deceased John, the said Normand for securing the same had made and executed to Col. John Whiting and George Wyllys, Esq^rs, guardians of said heirs of said John Smith, a deed of several pieces and parcels of land and estate in trust to and for the use and benefit of the said heirs for the purpose aforesaid, and that afterwards the said several heirs of said deceased John Smith coming of age had endeavored a settlement of their said portions with the said Normand Morison that had come into his hands and had received considerable sums of him therefor, and thereupon had given the said Morison a general release and discharge of their said parts and portions of said estate of the said John, deceased, and of further demands thereon, but did not in any other way release said lands; further representing that since the death of said Normand sundry papers had been discovered whereby they, said heirs of said Smith, are induced to think there has been some mistake and oversight to their prejudice in said settlement, and thereupon have claimed said lands and sold the same for their satisfaction in the premises, which lands have been by the said Normand Morison by his last will given and disposed to and among his said children and grandchildren &c., who insist that the aforesaid heirs of said Smith have received what was justly due from the said deceased Normand, for which said lands were secured as aforesaid, which had occasioned law-suits and much trouble and contention; further shewing, that all the parties concerned are desirous of having said matters settled and quieted and to have right done to each and every one, any omissions or mistakes in the past transactions about those matters notwithstanding, and which it is difficult for the parties to do among themselves, more by reason of the minority of said grandchildren; praying to have some suitable persons appointed a committee, to look into said matters of difference and claims and report to this As- [519] sembly what and how much, if ‖ anything, be further due in equity to said several children of said John Smith or to any of them, and from whom and how and in what manner the same ought to be paid, and further, how and in what manner said land and estate ought to be quieted to the devisees of the said Normand, deceased, and for this Assembly to enforce a compliance therewith &c.; as by the petition on file

may more at large appear. And this Assembly being also further acquainted that, since the preferring of said petition, the aforesaid Marion, wife of the said John Walker, hath died, leaving several children her heirs, all of whom are minors and by their said father and natural guardian as well as by the other parties concerned are desired to be included in and entituled to the relief prayed for by said petition: It is thereupon resolved by this Assembly, that Jonathan Trumble and John Chester, Esq^{rs}, and Doct. Daniel Lothrop be and they are hereby appointed a committee to look into the several matters mentioned in said petition as aforesaid, and make their report to this Assembly in May next of what they shall find in the premises with their opinion thereon.

Upon the petition of Eliphalet Beacher, of New Haven in the county of New Haven, representing that at the superior court held at New Haven on the last Tuesday of August, 1762, Ebenezer Keeny, of Derby in the county of New Haven, recovered judgment founded on a verdict of the jury against him for the sum of £100 damages and costs; complaining of misconduct and mistakes in said jury in their finding said verdict against the petitioner, and praying for a new tryal, as by the petition on file may at large appear: Resolved by this Assembly, that the said Eliphalet Beacher shall have the liberty of a new trial of the said cause at the superior court to be held at New Haven in New Haven county on the last Tuesday of February, A. D. 1763, and the same action shall accordingly be entered in the docket of said superior court for trial: and all cost shall follow the final issue of said cause.

Upon the petition of John Wooden jun., of New Haven in the county of New Haven, representing that John Hotchkiss, of said New Haven, at the superior court held at said New Haven on the last Tuesday of August, 1762, recovered final judgment against him in an action of trespass on the case, for the sum of £1000 lawful money damage and £5 16*s.* 1*d.* cost, and complaining of error in said judgment of said superior court, and praying that said judgment might be reversed and he restored to all the damage he hath sustained thereby, as by the petition on file may at large appear: Resolved by this Assembly, that there is manifest error in said judgment of said superior court. Whereupon it is ordered and enacted by this Assembly, that the said judgment of said superior court shall be, and the same is hereby, reversed and set aside, and that the said John Wooden jun. shall recover for his damage sustained thereby of the said Hotchkiss the sum of three pounds nineteen shillings and three pence, and

that execution shall be granted therefor. *Ex. granted Nov. 5th*, 1762.

Upon the petition of Thomas Delano of Sharon, against John Penoyer of said Sharon, shewing to this Assembly that the said Penoyer recovered final judgment against him at the superior court held at Litchfield in August last for £61 18*s.* 7*d.* lawful money, damage, and large cost, in an action brought by the said Penoyer wherein he charged the petitioner with fraud in the sale of a certain negro girl; complaining that the jury missed their evidence in said case, and praying for a new trial &c., as by the petition on file: Resolved by this Assembly, that the petitioner have liberty of another trial of said case at the superior court to be held at said Litchfield on the last Tuesday save two of August next, and that all cost follow the final judgment that shall be given in said case.

[520] Upon the petition of Daniel Bull and Aaron Bull, both of Hartford, Oliver Pomroy of Weathersfield, John Hill of Windsor, and Isaac Pitkin of said Hartford, representing to this Assembly that they, together with Joseph Webb late of said Weathersfield, deceased, being creditors of one Joseph Ballard of said Windsor the said Webb attached all his goods and estate, and that a letter of license was procured by said Ballard and produced to the petitioners signed with said Webb's name, and the petitioners were thereby induced to sign and execute the same; that said license notwithstanding, the said Webb proceeded on said attachment to judgment and execution, and thereby sold the said goods &c., and applied the same only in payment of his own debt, whereby the petitioners were altogether deprived of all means of obtaining any part of their debts, the said Ballard having failed and being absolutely worth nothing; alledging that said proceedings of said Webb counteracted their mutual understanding and engagements, and that the said avails of said goods received by said Webb under the circumstances aforesaid was received in trust for the petitioners; praying for relief therein, and that a committee be appointed to examine and report thereon; as per said petition on file appears: Resolved by this Assembly, that John Ledyard, Esq^r, of Hartford, and Mr. Philip Mortimer and Mr. Richard Alsop, both of Middleton, be and they are hereby appointed a committee, to call the said parties in said petition before them and to examine into the matters therein mentioned and referred to, and report what they shall find in the premises with their opinion thereon to this Assembly at their sessions at Hartford in May next.

Upon the petition of Henry Peck, Gideon Peck, Ephraim Peck and Ebenezer Peck, all of Newtown, against Robert Walker, Esq^r, Nathan Birdsey and the rest of the proprietors of the common and undivided lands in Stratford, shewing to this Assembly that the said proprietors recovered final judgment against the petitioners at the superior court held at Fairfield in August, 1761, for the surrendry of about 24 acres of land described to lye in the northerly part of said township of Stratford and bounded as per writ dated November 3d, 1760; also twenty shillings damages, and cost £13 19*s*. 4*d*. lawful money; further shewing, that by a certain written agreement made and executed in the year 1725, by a committee of said towns respectively appointed to settle and fix the dividing line between said towns the lands demanded would be and were left on the north of the bounds dividing between said towns, and so not belonging to the said proprietors, which agreement by some means failing of being recorded occasioned the said judgment to be rendered against the present petitioners; further shewing that since that time, on application made to this Assembly, the said agreement and line had been fully established and confirmed, so that said recovered lands and premises are manifestly within the township of Newtown and not within the claim of the said proprietors; praying to have said judgment vacated &c., and the said money being recovered of the petitioners to be ordered to be returned &c.; as by the petition on file: Resolved by this Assembly, that the said judgment had and rendered against the petitioners in August, 1761, as aforesaid, be and the same is hereby vacated and made null and void. And it is further resolved and decreed, that the petitioners have and recover back of the said proprietors the said sums of twenty shillings and £13 19*s*. 4*d*., in the whole £14 19*s*. 4*d*., lawful money, and that execution go forth for the same signed by the Secretary of this Colony accordingly. *Ex. granted Jan.* 11, 1763.

[521] Upon the petition of Stephen Merwin of Wallingford, against Elihu Hall, Esq^r, of said Wallingford, complaining of error in the judgment of the superior court held at New Haven, February, 1762, upon a demurrer to the plea of the defendant in an action wherein the present petitioner was plaintiff against the said Hall, charging the defendant with a breach of trust in the conduct of a certain execution in favour of the petitioner against one Solomon Clark &c.; praying to have said judgment set aside &c., as by the petition on file: Resolved by this Assembly, that in proceeding to and render-

ing said judgment manifest error hath intervened: the same judgment is therefore reversed and set aside, and liberty granted to the petitioner to have another trial of his said cause at the superior court to be held at New Haven on the last Tuesday of February next, and that all cost follow the final judgment. And in case judgment shall be in favour of the petitioner, the said superior court is hereby enabled and directed to award execution in favour of the said Merwin, to have and recover back of the said Elihu Hall whatever sums of cost he may have recovered of the said Merwin by force of said former judgment.

Upon the petition of Stephen Reaves, of South Hampton in the county of Suffolk and Province of New York, representing that he had purchased of one James Butler, of Branford in the county of New Haven, a certain lot of land situate in said South Hampton, and paid him therefor £150 10*s*. 0*d*. New York money, when at the time of said purchase and said payment therefor the said lot did rightfully belong to him, was his own, and that he was ignorant of its being his own at the time of said purchase, and was mistaken when in purchasing he supposed the same lot to belong to said Butler, and that he was thus ignorant and mistaken by mere accident &c.; praying said monies might be refunded, or a committee appointed &c., as by the petition on file may at large appear: Resolved, that Thomas Darling, Esq^r. Messrs. Samuel Bishop jun. and Thomas Howell, all of New Haven in the county of New Haven, be a committee, and they are hereby appointed a committee, to hear and examine the matters in said petition mentioned and referred to, and to make report of their opinion thereof and what they shall judge equitable therein to this Assembly in May next.

On the petition of Samuel Murdock and the rest of the inhabitants of Windham, representing to this Assembly that they brought their action against the town of Coventry, demanding £50 0*s*. 0*d*. lawful money, for the support of one Mary Welch and her child, the poor of said town of Coventry, which said action came to a final trial at the superior court held at Windham in March last, at which court final judgment was rendered in favour of the then defendants, to recover their cost &c.; further shewing to this Assembly, that since said trial new evidence has come to light, material in the cause; praying liberty for a new trial, as per petition on file: Resolved by this Assembly, that the petitioners have liberty of another trial of said cause at the superior court to be held at Windham in and for the county of Windham on the

3d Tuesday of March next, and that the future cost follow the final judgment that may be rendered in said new trial.

On the petition of Thaddeus Cook and Andrew Hull of Wallingford, administrators on the estate of Hannah Cook, deceased, shewing to this Assembly that one Mary Jackson brought her action of debt per book, demanding £90 0*s.* 6*d.*, which action came by appeal of said Mary to the superior court in New Haven in August last, at which court they were, by [522] reason of sickness, defeated of attending with their witnesses, and also accidentally destitute of some material papers relative thereto, and so were defaulted therein; praying for relief, as per their petition on file: Resolved by this Assembly, that liberty be and hereby is granted unto said administrators of entring said action at the superior court to be holden at New Haven on the last Tuesday of February next, as though pending by review, and in the meantime execution on said judgment in August last be staid and all proceedings thereon.

Upon the petition of John Cable and Jabez Cable of Fairfield, against Jacob Townsend of New York and others, representing to this Assembly that they, the petitioners, being indebted to the petitionee and being in treaty with the principal of them in behalf of themselves and the rest in order to a settlement, and having offered to deliver up to their said creditors all their goods and effects, and the same offer being approved of, the said creditors had, nevertheless, caused them, the said John and Jabez, to be arrested and thrown into prison, where they have long lain and still are likely to remain, and that notwithstanding their continuing to offer to deliver up to their said creditors all their estate and effects as aforesaid; praying to have the said creditors obliged and ordered to compound with them in some reasonable manner, that so they, the said John and Jabez, may be at liberty to take care of and support themselves and families, and that a committee may be appointed to look into said matters &c.; as by the petition on file: Resolved by this Assembly, that Ebenezer Silliman, Esq^r, William Burr, Esq^r, and Samuel Squire jun., all of Fairfield, be and they are hereby appointed a committee with full power and authority to look into and enquire of and concerning all and singular the matters and things represented and charged in the said petition, and make their report of what they shall find, with their opinion thereon, to this or the next Assembly.

Upon the petition of Joseph Woodruff, Esq^r, and others of Milford, against John Down of said Milford, representing that the said Down recovered final judgment against them at the

superior court held at New Haven on the last Tuesday of August last, for fifty shillings damages and a large bill of cost, in an action of trespass for pulling down a certain weaver's shop in said Milford; further representing, that before said action brought he, the said Joseph, bought the said Down's late homestead in said Milford, of which the said shop was part as appurtenant thereto; alledging that the jury missed the law and the evidence in said cause in judging that the said shop was not an appurtenant to said homestead &c.; praying for a new trial of said cause, as by the petition on file: Resolved by this Assembly, that the petitioners have liberty of another trial of said case at the superior court to be held at New Haven on the last Tuesday of February next, and that all cost follow the final judgment that shall be given in said case. And in case judgment shall be finally rendered in favour of the petitioners, that said superior court award execution against said Down in favour of the petitioners for them to recover back from said Down such sum of cost as he may have recovered from them in consequence of said former judgment.

Upon the petition of Jesse Squire of Cornwall, against David Ingersoll, late of Sheffield, now of a place called Spencer Town in the Province of New York, shewing to this Assembly, that the said Ingersole had obtained judgment against him, the said Squire, before the superior court held at Litchfield in August last, for one thousand pounds damages and cost on a certain bond given for his, the said Squire's, conveying and passing over to the said Ingersoll his, the said Squire's homestead in said Cornwall, consisting of a dwelling-house, barn &c., and about fifty acres of land; further charging and alledging that the contract of said bond was an exchange agreed to be made of said homestead for a certain right of land by said Ingersole sold to said Squire in a place called Noble Town in the Province of the Massachusets Bay, which right the said Squire had not been able to obtain and enjoy; [523] || representing that said bargain was obtained by fraud and misrepresentation, and also that the same was afterwards by the parties agreed to be given up &c.; praying to have commissioners appointed to look into said bargain and agreement and all matters relating thereto, and report what they shall think right to be done in the premises: as by the petition may more fully appear: Resolved by this Assembly, that Messrs. Benjamin Cowles, Moses Lyman and Josiah Stoddard be, and they are hereby, appointed a committee with full power to examine into said several matters and make their report to this Assembly in May next what they shall find

in the premises, with their opinion thereon, and that execution on the aforesaid judgment of the superior court be stayed in the meantime.

Upon the petition of Prudence Hubbard, Hezekiah Hubbard and Elizur Hubbard, of Glastonbury, executors of the last will and testament of David Hubbard, Esq^r, late of said Glastonbury, deceased, against John Hills and Hezekiah Hills of said Glastonbury, executors of the last will of John Hill sen., late deceased, complaining of error in a judgment of the superior court held at Hartford on the first Tuesday of September last, in an action of *scire facies*, wherein the petitioners were plaintiffs against the said petitioners upon a plea in bar, suggesting and alledging a representing of said Hills estate insolvent &c., after commencing of said action of *scire facies*; praying to have said judgment reversed and a new trial granted &c., as per the petition on file: Resolved by this Assembly, that in proceeding to and rendering the judgment complained of manifest error hath intervened; and thereupon the same judgment is hereby reversed and set aside, and liberty of a new trial of said case granted at the superior court to be held at Hartford on the first Tuesday of March next, and that all cost follow the final judgment that shall be rendered in said case.

Upon the petition of Abel Hall, of Stratford in Fairfield county, shewing to this Assembly that Solomon Burton of said Stratford brought his action of covenant broken &c. against said Hall, which action came to a final trial at the superior court held at Fairfield within and for said county on the last Tuesday save one in August last, and was by said court committed to the jury, who brought in the following verdict, *viz*: In this case the jury find that the land mentioned in the plaintiff's writ was surveyed and laid out to Samuel Hall of Fairfield March 28th, 1754, and received for record March 29th, 1754, and recorded May 12th, 1758; and also the same piece of land was laid out to John Porter March 29th, 1754, and recorded December 16th, 1754. If the law be so that notwithstanding the record to Samuel bears date May 12th, 1758, it shall take effect from the time of receiving to record, then we find the defendant not guilty and find for him his cost: but if the law be otherwise, then we find the defendant is guilty in manner and form as set forth in the writ, and find for the plaintiff ten pounds damage and his cost. And that said superior court thereupon were of opinion that the record to Samuel Hall did not take effect from the time of receiving to record; and thereupon gave judgment that the said Burton should

recover of said Hall, the petitioner, ten pounds lawful money damages and his cost. Said Abel Hall complaining that said judgment of the superior court is erroneous, and praying that the same may be reversed and set aside, and that the petitioner may have another trial of said cause at the superior court to be held at Fairfield within and for said county on the last Tuesday save one in February next, and that all cost may follow the final judgment; as by said petition on file: Resolved by this Assembly, that the judgment complained of is erroneous, and that the same be reversed, and that the petitioner have another trial of said cause at the superior court to be held at Fairfield within and for the county of Fairfield on the last Tuesday save one of February next, and that all cost shall follow the final judgment.

[524] On the petition of Caleb Johnson of Wallingford and others, selectmen of said town, *vs.* Isaac Tyler of said Wallingford, complaining of and against a resolve of the General Assembly in October last on the petition of said Tyler, reversing a judgment of the honorable superior court rendered against said Tyler in August, A. D. 1761, on a process brought by said selectmen on the statute of this Colony entituled an act to prevent encroachments on highways &c., before Benjamin Hall, Assistant, demanding 40*s*., the penalty mentioned in said statute, which cause on plea of title exhibited by said Tyler was removed into the county court in New Haven, on which plea judgment was rendered in favour of said Tyler in January, A. D. 1761, from which judgment said county court denied liberty of an appeal. Also said selectmen shewing and alledging in said petition that on plea of title in said action an appeal is by law grantable, praying for liberty to enter said cause at the superior court to be held in said New Haven in February next, as by their petition on file appears: Resolved by this Assembly, that liberty be and the same is hereby granted unto Caleb Johnson &c., petitioners, of entering said cause at the superior court to be held at New Haven in February next as tho' the same had been pending by way of appeal from the said county court; and in case final judgment shall be rendered against said Tyler, then and in such case said superior court shall give judgment that said selectmen shall recover of said Tyler the sums paid to him on execution issued on the decree and sentence of this Assembly in October last above referred, and all cost to follow the final judgment therein.

Upon the memorial of Bethiah Welbour of Groton, administratrix on the estate of Capt. Elam Welbour, deceased, rep-

resenting to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £32 6*s*. 0*d*. lawful money; praying that the memorialist and Samuel Whipple of Stonington might be impowered to make sale of so much of said estate as shall be sufficient to pay said sum together with the incident charge of such sale; as per said memorial on file may appear: Resolved by this Assembly, that the said memorialist and Samuel Whipple be impowered, and they are hereby fully authorized and impowered, to make sale of so much of said estate as shall be sufficient to pay said sum of £32 6*s*. 0*d*. together with the incident charge of such sale; taking the direction of the court of probates for the district of New London therein.

On the memorial of the inhabitants of the 4th society in Guilford, as also Abraham Hotchkins, Abraham Hotchkins jun., Jonathan Everts jun., Nathan Chittenden, Edward Lewis, Daniel Norton jun. &c., complaining that they with some others have for some time past attended worship and joyned with the said 4th society, but have been and still are taxed by the first society in said Guilford, and that they have not been in the relief heretofore granted; praying they may be released from said first society &c., as per memorial on file: Resolved by this Assembly, that Abraham Hotchkins, Abraham Hotchkins jun., Jonathan Everts jun., Nathan Chittendon, Edward Lewis, Daniel Norton jun., George Dudly and Daniel Everts jun., be and they are hereby added to said 4th society, and on their entering their names with the clerk of said 4th society they be freed from said first society, and that they be rated and taxed by said 4th society accordingly.

Upon the memorial of Benjamin Lothrop and Ann Lothrop, administrators on the estate of Nathaniel Lothrop late of Canterbury, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the personal estate of said deceased the sum of £165 2*s*. 9*d*. lawful money; praying for [525] liberty to sell so much of ‖ the real estate of said deceased as to pay said sum of £165 2*s*. 9*d*. lawful money with the necessary charges arising thereon: Resolved by this Assembly, that the said Benjamin and Ann Lothrop have liberty, and liberty is hereby granted to them and they are impowered, to sell so much of the real estate of said deceased as to pay said sum of £165 2*s*. 9*d*. with the necessary charges arising thereon; taking the direction of the court of probate for the district of Plainfield therein.

Upon the memorial of John Jennings jun., of Fairfield, administrator on the estate of John Jennings late of said Fair-

field, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £84 16*s.* 2*d.*, and praying for liberty to sell so much of the real estate of said deceased as will procure said sum &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased John Jennings as will raise the aforesaid sum of £84 16*s.* 2*d.* with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Abisha Castle, of Waterbury in New Haven county, shewing to this Assembly that in the month of April last [he] had his house consumed by fire with all his household goods, and in said house had consumed sundry bills of this Colony of the emission of March, A. D. 1761, *viz*: one of forty shillings, one of ten shillings, one of five shillings, and one of fifteen pence, and one of nine pence emission unknown, and praying this Assembly to give liberty for the Treasurer of this Colony to pay him the sum of said bills with the interest thereon, as per memorial on, &c.: Resolved by this Assembly, that the said Castle have out of the treasury of this Colony the sum of said bills with the interest thereon; and the Treasurer is hereby ordered to pay the same.

Upon the memorial of Ephraim Coy of Preston, shewing to this Assembly that he was a soldier in the government's service in the year 1761, and that while he was in said service he had one of his feet frozen, and that the same remains yet unhealed, and that he hath been for some time past under the care of Doctor Porter, in order to get the same healed, and that he is indebted for his board while under the care of said doctor the sum of £11 4*s.* 0*d.*; praying this Assembly that he may have said sum paid to him out of the treasury of this Colony, as per memorial on file &c.: Resolved by this Assembly, that the said Ephraim Coy have the said sum of £11 4*s.* 0*d.* lawful money granted to him out of the treasury of this Colony; and the Treasurer of this Colony is hereby ordered to pay him the same accordingly.

Upon the memorial of Stephen Johnson and others, inhabitants of the east society of Norwich in the county of New London, praying to be released from said society and annexed to the north society of Preston; as by their memorial on file appears: It is resolved, granted and ordered by this Assembly, that the said Johnson and others living within the bounds of said east society and living north of a line beginning at the southwest corner of Doctor Moses Morses farm by Quina-

bauge River in said east society and from thence easterly by the south side of said Morses land to Preston line, with their lands, shall be annexed to and be of the said north society of Preston, and shall pay their parish rates and taxes to said north society of Preston, and shall be released from paying any society and ministerial taxes to said east society.

Upon the memorial of Barnabas Baldwin of New Haven, representing that in April, 1741, he gave bond with security [526] to the Governor and || Company of this Colony conditioned for payment of thirty-two pounds ten shillings in the new tenor bills of this Colony, so called, or gold equivalent &c., which bond being afterwards put in suit judgment had been rendered thereon by the superior court held at New Haven in February, $174\frac{8}{9}$, for £34 9*s*. 2*d*. lawful money; representing that said sum is much more than the value and amount of the debt due by said bond according to the laws and regulations in the Colony; praying to have an abatement of said sum &c., as by the memorial on file: Resolved by this Assembly, that John Whiting and Thomas Darling, Esq^rs, be and they are hereby appointed a committee with full power, to enquire into said matter and make their report thereof with their opinion thereon to this Assembly in May next.

Upon the memorial of Robert Cleland of New London, representing to this Assembly that for the space of eleven years past he has been employed in keeping the school for the Indians at Mohegan, that his allowance for that service has been small, his trouble and expences great, has the year past been obliged to advance the sum of £6 10*s*. 0*d*. to procure bread for the Indian children who attended said school &c.; praying for some further allowance &c., as per memorial on file: This Assembly grants to the aforesaid Robert Cleland the sum of twenty-one pounds ten shillings, to be paid out of the public treasury of this Colony, fifteen pounds of which is in consideration of his service in said school for three years last past, and the residue thereof is on account of his expences in procuring bread for said Indian children; and that the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

On the memorial of Mary Wells, of Durham in the Colony of Connecticut, executrix to the last will and testament of Jonathan Wells late of said Durham, deceased, shewing that the said deceased in his last will and testament made no provision for the payment of his debts other than out of his moveable estate, and that since his death many and great debts have appeared against said estate, which with some necessary

household goods set to the widow and some lost estate exceeds the moveable estate of said deceased the sum of £62 5*s.* 5¾*d.*; thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist and Mr. Bryan Rossiter of said Durham have liberty, and they are hereby impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £62 5*s.* 5¾*d.* together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Middleton therein.

Whereas Messrs. Jonathan Hoit, Abraham Davenport and Jonathan Maltbie, Esq^rs^, were appointed at the sessions of this Assembly in May last, upon the petition of Ezekiel Roberts of Stanford, against Anthony De Mill of the same Stanford, a committee to examine into and report what they shall find relative to the matters charged in said petition to this Assembly; and whereas by reason of divers accidents the parties have been prevented being able to have said matters heard: It is therefore resolved, that David Rowland and Lothrop Lewis, Esq^rs^, and Capt. Samuel Burr, all of Fairfield, be and they are hereby appointed a committee to enquire into and report make of and upon the premises to this Assembly in May next.

Whereas Messrs. Joshua West, Ebenezer Backus and Eleazer Fitch, Esq^rs^, were appointed at the sessions of the General Assembly in May last upon the petition of Jonathan Fowler *vs.* Titus Culver, and also on the petition of Joseph Linsey &c. *vs.* Titus Culver, to examine the matters complained of in each of said petitions and make report to this Assembly in their present sessions, and said petitioners being inevitably hindered from making preparations for said hearing before said commissioners: It is therefore resolved, that said Messrs. Joshua West, Ebenezer Backus and Eleazer [527] Fitch, Esq^rs^, || be and hereby are appointed to hear the parties in the petitions above mentioned and to examine the matters referred to in each of said petitions and make report of the matters touching the affairs mentioned therein and their opinion thereon to this Assembly at their sessions in May next.

Whereas upon the memorial of John Gilbert and others, inhabitants of the parish of Greenfield and of the parish of Stratfield and North Stratford, all in the county of Fairfield, praying to be made a distinct ecclesiastical society, the General Assembly holden at Hartford in May, 1762, did appoint Comfort Starr, Richard Fairman and Joseph Platt, Esq^rs^, a committee to repair to and view the circumstances of the mem-

orialists and make report to this Assembly, which committee have reported that the inhabitants living within the following bounds and limits, *viz:* Beginning at the northeast corner of the parish of Norfield and extending southerly in the easterly line of said Norfield to the southeast corner of the parish of said Norfield, and from thence a straight line easterly to the upright highway called Burr's highway where the cross highway called the 2d cross highway crosses said Burr's highway, and thence to extend easterly in said second cross highway until it comes to the highway that passes from the rear of the long lots in Fairfield between Morehouse and Turney's long lots so called, and from thence to run southerly in said last mentioned highway to the first cross highway so called, and from thence to extend northeasterly in said last mentioned highway till it comes to Fairfield Mill River so called, and then to run with said river until it comes to the line between the towns of Fairfield and Stratford, and from thence to run a course at right angles with the line between said towns 250 rods easterly into Stratford, and from thence to run a line northwesterly in such a direction that it shall be a parallel to the line between said towns till it comes to the river aforementioned, which is there the easterly bounds of said Stratfield, and from thence in the easterly and northerly and westerly lines of said Stratfield until it comes to the southeasterly corner of the parish of Reading, and from thence to run westerly in the southeasterly line of said Reading until it comes to the northeast corner of Norfield parish aforesaid, are sufficient to make a distinct society; which report of said committee is accepted and approved, as per said memorial, report &c. on file appears: Resolved by this Assembly, that the memorialists and all other inhabitants living within the limits and boundaries aforementioned be and they are hereby made and constituted a distinct ecclesiastical society, with all the powers, priviledges and immunities by law belonging to the other ecclesiastical societies in this Colony, and shall be called and known by the name of the Society of North Fairfield.

Upon the memorial of Joseph Adkins of Waterbury and others, shewing to this Assembly that they live at such a distance from the public worship where they respectively belong that they cannot with any conveniency attend the public worship there; praying to this Assembly that the memorialists with all those that live within the limits hereafter mentioned, *viz:* Beginning at the northeast corner of the first long lots in Farmington on the mountain next to Waterbury, thence

running westerly three miles by the south end of the society of New Cambridge, and then continuing the same course to where said Cambridge society comes into the society of North Berry two miles to a birch tree at the north end of a ledge of rocks in Stephen Blacksley's lot about sixty rods east of his house, and from thence south two degrees east four miles to a white oak tree markt, and from thence south 12 degrees east one mile and seven rods to a bunch of cherry trees by the west side of the Mad River, so called, and from thence south 2 degrees east about half a mile into a line drawn west from Farmington southwest corner, and from thence east in said line one mile and three quarters to said corner, and from thence in Farmington line until it comes to the east side of the original twenty rod highway which runs across the said long lots in Farmington, and from thence running northerly straight to the top ridge of the mountain west of Phineas Barns' house, and from thence on the heighth of said mountain to the first-mentioned place, may have the priviledge of hiring preaching among themselves five months in the winter season, *viz.:* December, January, February, March and April, during the pleasure of this Assembly; and that they may have liberty of setting up a school according to the laws [528] of this Colony, and be freed from paying ‖ such part of their rates to said societies they respectively belong to; as per the memorial on file: Resolved by this Assembly, that the memorialists, and all others living within the limits aforesaid, have liberty, and liberty is granted them during the pleasure of this Assembly, to hire an orthodox minister to preach among them said five months in every year and be freed that time from paying taxes to the several societies to which they belong to the support of the ministry; and that they set up and keep a school in said limits as the law directs, and be freed from all school taxes in the societies where they belong; and to tax themselves for the support of the ministry and school as societies by law have power to do.

Upon the memorial of John Gilbert, Joshua Dart and Judith Shaler, administrators on the estate of Ebenezer Shaler late of Bolton, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part of the estate of said deceased the sum of seventy-six pounds seventeen shillings ten pence three farthings money, praying for liberty to make sale of so much of the real estate of the said deceased as to raise said sum with the necessary incident charges arising on such sale: Resolved by this Assembly, that liberty be granted, and the

said administrators are hereby impowered, to make sale of so much of the real estate of the said Ebenezer Shaler, deceased, as to raise the said sum of £76 17*s.* 10½*d.* lawful money, for the payment of the debts of said deceased, together with the necessary incident charges arising on such sale; taking the direction of the court of probates in the district of Hartford therein.

On the memorial of Daniel Lyman, administrator of the estate of Elihu Lyman late of New Haven, deceased, representing to this Assembly that the said Elihu was employed in the service of this government at Albany in the year 1755, and part of the year 1756, for the space of one year, and that large sums of money were by order of the government laid out by said Elihu in the transporting provisions &c. for the army, and that said Elihu died before his accounts were settled with the government, and that no persons have ever been appointed to settle the same; and praying that some proper persons may be appointed for said purpose, as per memorial: Resolved by this Assembly, that the Committee of the Pay-Table be appointed and they are hereby appointed, to consider of the reasonableness of the demand for the services referred to in said memorial, and make such allowance as they shall judge just and equitable therefor.

Upon the memorial of the inhabitants of the parish of East Bury in the town of Glastonbury, representing that for many years they have laboured under extraordinary burthens and difficulties, and are still under discouragements, unable to support their charges, and that the fourth mile of land in said Glastonbury east from Connecticut River hath been sequestred to lye common, but hath been more lately laid out, and that all the rates arising on said fourth mile of land hath been paid to and improved in said first society, excepting a few farms, and that the meeting-house in said Eastbury stands within half a mile of said mile of land &c.; praying that the whole of said mile of land formerly called commons, and the inhabitants that shall live thereon, may be annexed to said Eastbury parish or society, and that all rates and taxes hereafter raised or that shall arise thereon &c. be paid to said society of Eastbury &c.: Resolved by this Assembly, that the northerly part of said mile of common beginning at Hartford line and running thence southerly until it comes opposite to what is called the bend of the river, including the dwelling-house of Benjamin Hills, be annexed to said parish of Eastbury.

Upon the memorial of Nathaniel Barns of New Haven, administrator upon the estate of Samuel Barns late of said New

Haven, deceased, representing to this Assembly that said de-
[529] ceased was impowered by this || Assembly in May last to make sale of so much of the real estate of Moses Tuttle as should amount unto the sum of £13 2*s*. 0*d*. lawful money, which he had expended in supporting said Tuttle as he was conservator of his person and estate, and said deceased did not sell said estate before his decease; said administrator praying that he may be impowered to make sale of said estate sufficient to pay said £13 2*s*. 0*d*. with the incident charges of such sale, as by said memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said Tuttle as shall be sufficient to pay said sum of £13 2*s* 0*d*. with the incident charges of such sale, and make return of his doings unto the county court in the county of New Haven.

On the memorial of Bethiah Steel of Farmington, administratrix on the estate of Jonathan Steel late of Farmington, deceased, shewing to this Assembly that the debts due from said estate with some allowance made to the widow surmounts the moveable estate the sum of forty pounds eighteen shillings and four pence half penny money, for which no certificate has before been given; praying that she with Mr. Thomas Stow jun. of Middleton should be allowed to sell so much of the real estate of said deceased as to make said sum, with the advice of the court of probate for the district of Hartford therein: Resolved by this Assembly, that the said administratrix with Thomas Stow jun. of Middleton, have liberty, and liberty is hereby granted to them, to sell so much of the real estate of said deceased as to make said sum of £40 18*s*. 4½*d*. money, with the incident charges thereon arising: taking the advice of the court of probate for the district of Hartford therein.

On the memorial of William Ripley and Irene Warner, administrators on the estate of Timothy Warner late of Windham, deceased, shewing that the debts and charges due from the estate of said deceased surmount the inventoried moveable part thereof the sum of £154 18*s*. 9*d*. in lawful money; praying for liberty to make sale of real estate of said deceased sufficient to raise and pay the said sum and incident charges &c., as per memorial on file: Resolved by this Assembly, that the said administrators have liberty, and liberty and authority is hereby granted to them, to sell so much of the real estate of said Timothy Warner, deceased, as shall be sufficient to raise and pay said sum of £154 18*s*. 9*d*. lawful money with the incident charges; taking the direction of the court of probates for the district of Windham therein.

Upon the memorial of Jerusha Hide, administratrix on the estate of Jedidiah Hide late of Norwich, deceased, shewing to this Assembly that the debts &c. allowed by the court of probate for the district of Norwich against the estate of the said deceased surmount the moveable part of said estate the sum of £38 13*s.* 8½*d.*, and praying for liberty to sell of the real estate of the said deceased sufficient to pay said sum with the incident charges &c., as per memorial on file: Resolved by this Assembly, that Capt. Richard Hide of said Norwich be impowered, and he is hereby authorized and impowered, to sell so much of the real estate of the said deceased Jedidiah Hide as to enable the said administratrix to pay the said sum of £38 13*s.* 8½*d.* and the incident charges arising on such sale; he taking the direction of the court of probate for the district of Norwich therein.

On the memorial of Samuel Eastman of Ashford &c., representing to this Assembly that Zebulon West, William Wells and Joseph Strong, Esq[rs], were by this Assembly in their May sessions, 1761, appointed a committee to settle the line between Stafford and Union according to Farrar's run and their report thereon make &c.; which said committee run a line from two chestnut trees allowed to be the southeast corner of said Stafford, and from thence a line north 31½d. east for said Farrar's line to divide between said Stafford and Union, and their report so thereon made, which was accepted by May Assembly, 1762; complaining of a mistake in said committee in their run aforesaid; praying for a new committee &c., as per memorial on file: Resolved by this Assembly, that Shubael Conant, Jabez Fitch, Esq[rs], and [530] Major William Pitkin be and they are || hereby appointed a committee, at the cost of the memorialists, to repair to the proper place, hear the parties, and thereon consider and determine where the said Farrer's line, so called, really and originally ran from the said two chestnut trees, and their report thereon make to this Assembly at their sessions in May next.

Upon the memorial of Ruth Goward of Stafford, administratrix on the estate of William Goward late of Stafford in the district of Stafford, deceased, shewing to this Assembly that the debts, charges &c. of said estate, with allowances to the widow of the said deceased, surmount the personal inventoried estate of the said deceased the sum of £27 5*s.* 4*d.*, and praying for liberty to make sale of so much of the real estate of the said deceased as to answer and pay the said sum &c., as per memorial on file: Resolved by this Assembly, that

liberty be granted to the said Ruth Goward and Stephen Stiles of Hebron, to make sale of so much of the real estate of the said deceased as to answer and pay the said sum with the incident charges on sale arising; taking the advice of the court of probate in the district of Stafford therein.

Upon the memorial of Joel Hotchkiss and others the inhabitants of the parish of Amity living north of an east and west line drawn from the south end of the dwelling-house of the widow Hannah Sperry, preferred to this Assembly at their sessions at Hartford in May last, representing the inconveniences they were under in attending the public worship &c., and praying for society privileges, a committee was granted &c.; which committee having made report to this Assembly of their opinion that said memorialists and inhabitants dwelling north of said east and west line should be made a society &c.; which report being accepted by this Assembly: Thereupon it is enacted and ordered, that said inhabitants of the parish of Amity living north of an east and west line drawn from the south end of the widow Hannah Sperry's dwelling-house, as prayed for in said memorial, shall be a distinct ecclesiastical society with all the privileges and powers usually belonging to such societies in this Colony, and shall be called and known by the name of Bethany.

Upon the memorial of Benjamin Boardman and Ann his wife, representing that Dorothy Hosmer late of East Haddam, deceased, by her last will and testament bequeathed to her nephews, *viz:* Zechariah Hosmer, Stephen Hosmer and John Hosmer, sons of said Ann by her former husband Stephen Hosmer late of East Haddam, deceased, sixteen acres of land in said East Haddam, and to her nephew Timothy Hosmer, son of Mary now wife of Thomas Fuller and late wife of Robert Hosmer, six acres of land, and by said will ordered that her debts should be paid by said legatees according and in proportion the value of their respective estates bequeathed as aforesaid, and that said debts amount to sixty-two pounds ten shillings and five pence farthing, and that the proportion belonging to the said Zachary, Stephen and John Hosmer to pay is twenty-six pounds, and that there is no estate belonging to the said Zachariah, Stephen and John, saving said 16 acres of land; praying for liberty to sell said sixteen acres of land, and that the said 26 pounds be paid out of the avails of such sale: Resolved by this Assembly, that said sixteen acres of land be sold for the payment of said £26, and if the said land shall sell for more than said £26, said overplus be deposited in the hands of the guardians of said Zachariah Hosmer, Stephen

Hosmer and John Hosmer, to be accounted for to said Zachariah &c., now minors, as the law directs, and that the said Benjamin Boardman be authorized and impowered, and he is hereby impowered, to make sale of said land and make deed or deeds thereof accordingly.

Upon the memorial of Tarbal Whitney, administrator on the estate of Joshua Whitney late of Plainfield, deceased, shewing to this Assembly that the debts &c. due from said estate surmount the said personal estate of said deceased the sum of £353 0*s.* 9*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as to pay said sum of £353 0*s.* 9*d.*: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted and he is impowered, to sell so much of the real estate of said deceased as to pay the said sum of £353 0*s.* 9*d.* with the necessary charges arising thereon; taking the direction of the court of probate for the district of Plainfield therein.

Upon the memorial of Solomon Hamilton, Isaac Lanphere and Sarah Lanphere his wife, administrators on the estate of Mr. Daniel Hamilton late of Colchester in the district of East Haddam, deceased, shewing to this Assembly that the debts and charges due from said estate do surmount the sum of the [531] inventory of the personal estate of said deceased the sum of thirty pounds fourteen shillings and two pence lawful money, as appears by the certificate of the clerk of said court of probates; praying for liberty to sell so much of the real estate of the said deceased as may raise the sum abovesaid, or that Mr. Daniel Foot of said Colchester and the said Isaac Lanphere of said Coventry be impowered by this Assembly to sell so much of the real estate of said deceased as may raise said sum: Therefore it is resolved by this Assembly, that liberty be granted and that the said Daniel Foot and said Isaac Lanphere have liberty and be hereby impowered, to sell so much of the real estate of the said Daniel Hamilton, deceased, as shall raise the sum of £30 14*s.* 2*d.* lawful money with the incident charges arising thereon; taking the direction of the court of probate for said district therein.

On the memorial of Jacob Burnap of Windham, shewing to this Assembly that by Windham county court he is appointed conservator to take care of the person and estate of Joseph Decker and John Decker, impotent persons, and that the said Joseph is indebted the sum of £27 2*s.* 1½*d.* and the said John the sum of £27 0*s.* 0*d.* for their past necessary support, which debts are allowed by said county court, for the payment of which neither the said Joseph or John have personal estate,

but that each of them have real estate given by the will of their father Joseph Decker, late deceased, much more than the amount of such their respective debts aforesaid; praying liberty to have such their lands sold for the satisfying the said debts aforesaid: Resolved by this Assembly, that the said Jacob Burnap be and he is hereby fully authorized and impowered, to sell so much of the said real estate of the said Joseph as shall amount to said sum of £27 2*s*. 1½*d*. and of the said real estate of said John as shall amount to said sum of £27 0*s*. 0*d*. as also the incident charges of such sales, and the monies arising on the sale aforesaid to dispose of for the satisfying such debts and charges, and his account thereof render to the said county court.

Upon the memorial of Edmund Livingsworth of Stratford, praying this Assembly to grant him the liberty of keeping a ferry at the narrows a little above Derby Neck by said Levingsworth's dwelling house; as by his memorial on file appears: Resolved by this Assembly, that said Levingsworth have liberty, and power is hereby given to him to set up and keep a ferry cross Stratford River at the place aforesaid; and that said ferry be kept and be under the laws and regulations as other ferries in this Colony; and that the fare of said ferry be as follows, *viz:* for man, horse and load, two pence; for each foot man, one penny, and for each ox or neat kine, two pence, and for each sheep, goat or swine, an half-penny, and for a two wheel carriage with one man and draught horse and load, four pence, and other things proportionable, during the months of April, May, June, July, August, September, October and November; and for the other four months in the year five pence for each man, horse and load, and all other transports in proportion.

Upon the memorial of Amos Hollister and Sarah Sparks, administrators on the estate of Thomas Sparks, late of Glastonbury in the county of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased (besides some small necessaries set out to the widow) surmount the moveable estate of the said deceased the sum of nine pounds seventeen shillings and six pence lawful money; moving to this Assembly for liberty to sell so much of the real estate of the said deceased, to pay said sum: Resolved by this Assembly, that liberty be granted and liberty is hereby granted to the memorialists, to sell so much of said real estate to pay the abovesaid sum of nine pounds seventeen shillings and six pence with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

On the memorial of Ebenezer Gridley and Rebekah Nichols, administrators on the estate of Benjamin Nichols late of Farmington, deceased. for liberty to sell of the real estate of the said deceased for the payment of debts due from said estate to the amount of £33 10*s*. 1¾*d*. lawful money, with charge arising on the sale thereof: Resolved by this Assembly, that [532] the said memorialists have liberty, || and liberty is hereby granted to the said memorialists, to sell of the real estate of the said deceased to the amount of £33 10*s*. 1¾*d*., by the direction of the court of probate in the district of Hartford, with incident charges arising on the sale thereof.

Upon the memorial of Gershom and Eleazer Scott. executors of the last will and testament of Daniel Scott late of Waterbury, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of the said deceased the sum of £13 19*s*. 10*d*. lawful money, and they not being impowered by the will of the testator to sell any part of his real estate, and praying for liberty to sell so much of the real estate of the said deceased as to pay said sum &c.: Resolved by this Assembly, that the said executors have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased as to satisfy said debt with the incident charges arising thereon; taking direction of the probate court for the district of Woodbury therein.

Upon the memorial of Sarah Waterous of Guilford, administratrix on the estate of Ethan Waterous, late of Guilford in the district of Guilford, deceased, shewing to this Assembly that the debts and charges exhibited against the estate of said deceased and allowed by the court of probate for the district of Guilford surmount the whole inventoried moveable estate of said deceased the sum of £56 9*s*. 2*d*.: praying liberty to sell so much of the real estate of said deceased as will raise said sum with the incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to make sale of so much of the real estate of said deceased as will raise said sum of £56 9*s*. 2*d*. with the incident charges arising on said sale; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of John Bidwell and Josiah Gilman, administrators on the estate of Capt. John Gilman late of Hartford, deceased, shewing to this Assembly that the debts due from said estate for which payment no provision hath heretofore been made exceed the moveable estate the sum of ninety pounds lawful money, for the payment of which the

memorialist have no moveable estate: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to said memorialist, to sell so much of said deceased's estate as will procure said sum of ninety pounds lawful money with incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

This Assembly grants unto Jonathan Hall, of Norwich in New London county, the priviledge of having and keeping a ferry over the river against said Hall's dwelling-house in said Norwich. The ferry boat to put off from said Hall's wharf and land on the other side of the river at the town's landing place in said Norwich. The fare of said ferry to be as stated by law. The above priviledge is on condition that said Hall keep and maintain a good and sufficient ferry-boat, and that he provide a pent-way with gates from said Hall's wharf thro' the land of Daniel Hall and Capt. John Liffingwell to come into New London road near said Liffingwell's dwelling-house. Said ferry to be kept during the pleasure of this Assembly.

Upon the memorial of Abigail Hubbell of Fairfield, widow of Capt. Samuel Hubbell late of Fairfield and now deceased, representing to this Assembly that her late husband was in the year 1760 a captain of a company raised by this Colony for his Majesty's service to the northward, and that he carried away with him above £100 of the monies which he received out of the Colony treasury with design therewith to supply the soldiers of his company as they should happen to sicken and stand in need, and that she verily believes said monies to have been so expended, but that said Capt. Hubbell was taken with and died of the small-pox before his return, and that all his accounts were lost and she is thereby disabled to find out who received those monies, and that the estate of said Hubbell is now indebted to this Colony for about £96 of said money; praying that a committee may be appointed to enquire into said matters, as per memorial on file appears: Resolved by this Assembly, that Andrew Burr and David Rowland, Esq^rs, be and they are hereby appointed a committee, to en- [533] quire into and examine into the matters || in said memorial alledged, and their report to make of what they find together with their opinion thereon to the General Assembly to be held at Hartford in May next.

On the memorial of Hannah Austin of Durham, administratrix on the estate of Moses Austin late of said Durham, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Middleton,

together with some allowance of necessaries made by said court to the widow, surmount the moveable part of said estate the sum of £68 13*s*. 3½*d*. lawful money, and thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that liberty be granted and it is hereby granted to the memorialist with the assistance of Capt. James Curtis of said Durham, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £68 13*s*. 3½*d*. lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Christian Shean of Newtown, executrix of the last will and testament of Ebenezer Foot late of Stratford, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £24 4*s*. 2*d*. for the payment whereof the said deceased made no other provision in his said last will than what his moveable estate would answer, and praying that some meet person may have liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that Samuel Hawley of Stratford have liberty, and he is hereby impowered, to sell so much of the real estate of the said deceased Ebenezer Foot as will procure said sum of £24 4*s*. 2*d*. with incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Nathan Farnam of Litchfield, administrator on the estate of Thankful Demman, late of Litchfield in the district of Litchfield, deceased, shewing that the debts due from the estate of the said deceased surmount the personal estate the sum of £5 12*s*. 10*d*., and praying for liberty to make sale of so much of the real estate of the said deceased as to pay the said sum with the incident charges on said sale arising; as per memorial on file: Resolved by this Assembly, that the said Nathan Farnam have liberty, and liberty is hereby granted unto him, to make sale of so much of the real estate of the said deceased as to answer and pay the said sum of £5 12*s*. 10*d*. with the incident charges thereon arising; taking the advice of the court of probate in the district of Litchfield therein.

Upon the memorial of Thomas Durkee of Woodbury, administrator on the estate of Abijah Durkee, late of Litchfield in the district of Litchfield, deceased, shewing that the debts due from the estate of the said deceased, (with some necessaries allowed to the widow,) surmount the personal estate of

said deceased the sum of £31 6*s*. 10*d*. 2, and praying for liberty to make sale of so much of the real estate of the said deceased as to answer and pay the said sum; as per memorial on file: Resolved by this Assembly, that the said Thomas Durkee, administrator, have liberty, and liberty is hereby granted unto him, to make sale of so much of the real estate of the said deceased Abijah Durkee as to answer and pay the said sum of £31 6*s*. 10*d*. 2, with the incident charges arising on said sale: taking the advice of the court of probate in the district of Litchfield therein.

On the memorial of Hannah Blake of Middleton, administratrix on the estate of Jonathan Blake late of Middleton, deceased, shewing to this Assembly that the debts and charges due from said estate, together with some necessary household goods set to the widow, surmount the moveable estate of said deceased the sum of £71 0*s*. 1*d*. lawful money; thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist with the assistance of Mr. Stephen Blake of Middleton, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £71 0*s*. 1*d*. L. money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

On the memorial of Susannah Giddins of Middleton, administratrix on the estate of Mr. John Giddens late of said Mid-
[534] dleton, deceased, shewing to this Assembly that the debts, charges and allowances made by the court of probate for the district of Middleton against said estate exceed the moveable part thereof the sum of £22 16*s*. 10*d*., thereupon praying for liberty to sell real estate: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £22 16*s*. 10*d*. lawful money, together with the incident charges arising on such sale: taking the direction of the court of probate for the district of Middleton therein.

On the memorial of Experience Wood, of Middleton in said Colony, executrix to the last will and testament of Jonathan Wood late of said Middleton, deceased, shewing that the said deceased in his last will and testament made no provision for the payment of his debts other than out of his moveable estate, and that since his death many and great debts have appeared against said estate, which, with some necessary household goods set to the widow and some lost estate, exceed the move-

able estate of said deceased as inventoried the sum of £122 4*s*. 7*d*.; thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist and Mr. Silas Dunham of said Middleton have liberty and they are hereby impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £122 4*s*. 7*d*. together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Middleton therein.

Upon the memorial of Roger Sherman, guardian of Anthony Carpenter and Elizabeth Carpenter, minors, and Seth Benedict, guardian of Helena Carpenter, a minor, all which minors are children of Anthony Carpenter late of New Haven, deceased, shewing that the said deceased Anthony Carpenter died in June, 1760, his said son Anthony being then nine months old, and that the charges of his nursing, apparrel and for physicians in his sickness since that time amounts to the sum of £29 2*s*. 9*d*. lawful money, and that there was allowed out of the personal estate of the said deceased by the court of probate for the district of New Haven toward the bringing up of the said Anthony the sum of £12 13*s*. 6*d*., and that the said Anthony has no moveable estate to pay the residue of said charges already arisen, being £16 9*s*. 3*d*., and that more must be expended for the support of the said Anthony before he can earn his living, and that all the real estate he has in this Colony is part of a dwelling-house and about half a rood of land in Norwalk, the whole apprized at £187, and that the said Anthony's share therein is £112 7*s*. 6*d*., and the residue thereof belongs to said Elizabeth and Helena, the value of £37 6*s*. 3*d*. to each, which they hold in common with the said Anthony, and that his right therein can't be sold for the value of it without selling the whole; therefore praying this Assembly to impower the memorialists to sell the same and secure the money on interest for the benefit of said minors; as per their memorial on file: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell the whole of said house and land, and that the said Anthony's guardian may pay the said sum of £16 9*s*. 3*d*. out of the said Anthony's part of the money that shall be procured by such sale, with the incident charges of sale, and that the memorialists loan out the residue of the said money on interest for the benefit of the said minors in proportion to their respective interest therein, taking good and sufficient security for the same.

Upon the memorial of John Holden jun., of Glastonbury,

shewing to this Assembly that in the year 1760 he was a soldier in the service of the government, enlisted by and under the command of Capt. Samuel Gaylord of Middleton as his captain, and that the wages that became due to him as settled by the pay-roll amount to £16 16*s.* 7*d.*, and that the said Gaylord as pay-master to said company received said money to pay to your memorialist, but he hath never paid him the same nor any part thereof; and also representing that the said Gaylord hath failed in his circumstances and is altogether unable to pay the same; and praying for relief &c., as per memorial on file &c.: Resolved by this Assembly, that the matters contained in said memorial be referred to the Committee of the Pay-Table, who are hereby directed to examine into the same, and in case it shall appear to them that the said wages are still due to the memorialist and cannot be obtained of the said Gaylord or his surety, that then they draw an order on the Treasurer of this Colony to pay the same to the said memorialist out of the Colony treasury.

[535] We the subscribers, being mutually chosen by the tribe of Indians at Nehantick in Lyme on the one part, and Edward Champlin, Joseph Smith &c. of said Lyme on the other part, to settle and determine a controversy subsisting between said parties, respecting a piece of land lying in said Nehantick commonly known by the name of the upper hundred acres, and is part of a large tract of land formerly granted to Joseph and Jonathan Bull of Hartford, and by them conveyed to Nehemiah Smith, Esq^r^, of Groton, wherein said parties agree to be concluded as to the ancient bounds of said tract by our judgment on the bounds mentioned in said deed from said Joseph and Jonathan Bull to said Nehemiah Smith, and that the said land be then equally divided by us for quantity and quality, which settlement when so made by us the parties agree to stand by and acquiesce in and shall put a final end to any further controversy respecting said lands; and having met at said Nehantick on the 8th day of April, 1762, the parties being all present, we viewed said lands and heard all their talks and debates respecting said lands, and agreed to bound and divide the said land as follows, *viz:* Beginning on the west side at the head of the creek at a spring about one rod northwestward of Indian Joseph's house, from thence east 31 *d.* south 120 rods a straight line across the neck to a point of rocks on Nehantick Bay, said hundred acres lying on the north side of said line and bounded east on said Nehantick Bay, north on said Champlain's land, and west on the brook which runs into the creek; which piece

of land we divide between the parties by a straight line beginning at a cherry tree with stones about it standing under the hill about 30 rods west from said Champlin's dwelling-house and about one rod east of a gate and bars going into Black Point; thence running south 3 *d.* west 148 rods, to a heap of stones in the line above described which divides the upper from the middle hundred acres and is about eleven rods westward from the point of rocks above mentioned: the said Indians to have all the lands on the west side this line, and the said Champlin &c. to have all the land on the east side of said line; excepting and reserving to the Indians the perpetual use of their burying place, which is on that part of said tract, to bury their dead. And whereas the highway down to Black Point is on the Indians' part of land in this division, we would signify that a proper allowance hath been made to them in this division therefor. All which we have done according to our best judgment and skill, the rules of equity and justice, and to the general satisfaction of the parties.

Dated in Lyme the 15th day of April, 1762. Pygan Adams, Stephen Hempsted, Richard Wait, } *Referees.*

The foregoing return of the gentlemen subscribing thereto mutually chosen by the parties therein mentioned, to determine the controversy between them referred to in the same, is approved of, established and confirmed by this Assembly, and ordered to be recorded.

On the memorial of Andrew Waterman, administrator on the estate of Ezra Fitch late of said Lebanon, deceased, shewing that the debts and charges due from the estate of said deceased surmount the inventoried moveable part thereof the sum of £95 0*s.* 0*d.* in lawful money; praying for liberty to make sale of real estate of said deceased sufficient to raise and pay the said sum and incident charges &c., as per the said memorial on file: Resolved by this Assembly, that the said administrator have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate of said Ezra Fitch, deceased, as shall be sufficient to raise and pay said sum of £95 0*s.* 0*d.* lawful money with the incident charges; taking the direction of the court of probate for the district of Windham therein.

On the petition of Mary Gold, of Stratford in the county of Fairfield, *vs.* Hezekiah Gold, of Cornwall in the county of Litchfield, (clerk,) Thomas Gold of the parish of Reading in the town of Fairfield in the county of Fairfield, Abigail Gold of said Reading, Agur Tomlinson of Stratford in the county

of Fairfield, Esqr, and Mary his wife, Abraham Tomlinson of said Stratford and Rebecca his wife, Samuel Curtis of said Stratford and Huldah his wife, Levy Hubbard of Guilford in the county of New Haven and Anna his wife, Jozeb Stocking and Mary Stocking both of Middleton in the county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Costs allowed respondents is* £3 6*s.* 9*d. lawful money. Ex. granted Oct. 6th*, 1762.

On the petition of Ebenezer Fitch, of Norwich in the county of New London, *vs.* Joseph Roach and William Roach, both of Nantucket in the county of Nantucket and Province [536] ‖ of the Massachusets Bay, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved in the affirmative.

On the petition of James Delopp, of Canterbury in the county of Windham, *vs.* Francis Morse of said Canterbury, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £1 14*s.* 6*d. lawful money. Ex. granted Jan.* 22*d*, 1763.

On the petition of Joseph Bishop and Keturah his wife, both of Saybrook in the county of New London, *vs.* Abner Parker of said Saybrook, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £2 5*s.* 2*d. lawful money. Ex. granted Jan.* 3*d*, 1763.

On the petition of Mathew Copley jun., of Suffield in the county of Hartford, *vs.* William Utley of Suffield aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 10*s.* 6*d. lawful money. Ex. granted Decem. 24th*, 1762.

On the petition of Lucretia Wells, of Groton in the county of New London, *vs.* Obadiah Coats, of Stonington in said county, administrator on the estate of David Coats of said Stonington, late deceased, as on file: The question was put, whether anything prayed for in the said petition should be granted: Resolved by this Assembly in the negative *Cost allowed respondents is* £1 18*s.* 1*d. lawful money. Ex. granted March* 11*th*, 1763.

On the petition of Stephen Lee, of New London in the

county of New London, *vs.* Christopher Christophers of said New London, Esq^r, as on file: The question was put, whether in proceeding to and rendering the judgment of the superior court, mentioned and referred to in said petition, error hath intervened &c.: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 14*s.* 0*d. lawful money. Ex. granted Jan.* 11*th*, 1763.

On the petition of Nathan Dudley, of Stratford in the county of Fairfield, *vs.* Sealy Squire, of Norwalk in said county of Fairfield, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £1 13*s.* 8*d. lawful money. Ex. granted Nov.* 4*th*, 1762.

On the petition of Timothy Hollister, of Glastonbury in the county of Hartford, *vs.* Stephen Hopkins of Nine Partners &c. and Joseph Stephens of Glastonbury aforesaid, as on file: The question was put, whether the pleas offered in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is* £1 11*s.* 2*d. lawful money. Ex. granted Nov.* 12*th*, 1762.

On the petition of Lewis Dewolf, Edward Dewolf and Elihu Wade, Elisha Wade and Sarah Wade, all of Lyme in the county of New London, *vs.* Isaac Hall, Daniel Hall and Rufus Hall, (minors under the age of twenty-one years,) all of Lyme aforesaid, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed respondents is* £1 5*s.* 6*d. lawful money.*

On the petition of Ichabod Wetmore, of Middletown in the county of Hartford, *vs.* Samuel Lancelott, of Weathersfield in the said county of Hartford, as on file: The question was put, whether in proceeding to and rendering the judgment of the superior court referred to in the said petition error hath intervened, as alledged and complained of by the petitioner: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 11*s.* 0*d. lawful money.*

On the petition of Samuel Eno, one of the inhabitants, and the rest of the inhabitants of the town of Windsor in the county of Hartford, *vs.* Elisha Pratt of Somers in said county of Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 12*s.* 8*d. lawful money. Ex. granted Jan.* 22*d*, 1763.

On the petition of Elizur Hubbard and Prudence Hubbard, of Glastonbury in the county of Hartford, *vs.* Mary Mallet and Peter Mallet, of Stratford in the county of Fairfield, as on file: The question was put, whether the petitioners shall have the liberty of another tryal of the several causes referred to in the petition, as therein prayed for: Resolved by this Assembly in the negative. *Cost allowed respondents is £1 12s..6d. lawful money.*

[537] *Resolved by this Assembly*, That his Honour the Governor be desired to send for the Treasurer of this Colony, immediately to repair to New Haven with a sufficient sum of money to pay off the debenture of this Assembly; also that he bring with him the accounts he was directed by the Assembly in May last to prepare and lay before the Assembly at their present sessions.

This Assembly grants to his Honour the Governor the sum of one hundred and fifty pounds, for his salary for the last half of the current year.

This Assembly grants to his Honour the Deputy Governor the sum of fifty pounds, for his salary for the last half of the current year.

Ordered, That the Treasurer of this Colony pay out of the public treasury unto the Honourable Thomas Fitch, Esq^{r}, Governor, the sum of one hundred twenty-four pounds seven shillings and ten pence in bills of this Colony, for his care and service in drawing bills of exchange from the 17th day of October, 1761, to the 30th of September, 1762, for monies granted by Parliament belonging to this government and lodged in the hands of the Agent in England.

This Assembly doth grant to Mr. Timothy Green, printer, fifteen pounds, for his salary the first half of the current year, and the Treasurer is ordered to pay the same accordingly.

This Assembly appoints John Chester, Daniel Edwards, Esq^{rs}, Col. Samuel Talcott and Col. William Pitkin, to attend his Honour the Deputy Governor at Hartford, to hear the records of the acts and doings of this Assembly publicly read, and see the same signed by the Secretary as perfect and compleat.

This Assembly was adjourned by proclamation until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Signed by GEORGE WYLLYS, Secret'y.

[END OF VOLUME IX.]

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Anno Regni Regis Georgii tertii tertio.

At a General Assembly of the Governor and Company of his Majesty's English Colony of Connecticut in New England in America holden at Hartford in said Colony on the second Thursday of May (being the twelfth day of said month) and continued by several adjournments until the eighth day of June next following, annoque Domini 1763.

Present:

The Hon^ble^ Thomas Fitch, Esquire, *Governor.*
The Hon^ble^ William Pitkin, Esquire, *Deputy Governor.*

Ebenezer Silliman,	Daniel Edwards,	Esquires *Assistants.*
Jonathan Trumble,	Jabez Hamlin,	
Hezekiah Huntington,	Matthew Griswold,	
Andrew Burr,	Shubael Conant,	
John Chester,	Elisha Sheldon,	
Benjamin Hall,	Eliphalet Dyer,	

Representatives or Deputies who attended this Assembly are as follow, viz:

Hartford, Col. Samuel Talcott, Col. William Pitkin jun.
New Haven, Mr. Daniel Lyman, Mr. Sam^l^ Bishop.
New London, Capt Pygan Adams, Capt. Jeremiah Miller.
Fairfield, Mr. David Rowland, Mr. David Burr jun.
Windham, Mr. Sam^l^ Gray, Mr. Samuel Maning.
Litchfield, Col. Ebenezer Marsh, Capt. Isaac Baldwin.
Norwich, Capt. Jabez Huntington, Mr. Isaac Tracy.
Stamford, Col. Jonathan Hait, Abraham Davenport.
Torington, Mr. John Cook, Mr. Epaphras Sheldon.
Brandford, Mr. Josiah Rogers.
New Milford, Mr. Bushnel Bostwick, Mr. Sam^l^ Bostwick.
Guilford, Mr. Samuel Robinson, Mr. Nath^l^ Hill.
Farmington, Mr. Solomon Whitman, Capt. John Strong.
Milford, Capt. John Fowler, Mr. Robert Treat,
Suffield, Capt. Sam^l^ Kent jun., Mr. William King.
Windsor, Mr. William Wolcott, Capt. Josiah Bissell.
Voluntown, Mr. John Gordon, Mr. Robert Jameson.
Kent, Mr. Cyrus Marsh, Mr. Nathan Elliot.
Haddam, Mr. Hezekiah Brainerd.
Colchester, Mr. Daniel Foot, Mr. John Hopson.
Stafford, Capt. Isaac Pinney, Mr. Samuel Davis.
Killingworth, Capt. Theophilus Morgan, Mr. Benjamin Gale.
Tolland, Capt. Zebulon West, Capt. Samuel Chapman.
Goshen, Capt. Moses Lyman, Capt. Samuel Nash.

Derby, Capt. Sam[l] Basset, Mr. Joseph Hull jun.
Salisbury, Mr. John Everts, Capt. James Landon.
Harwinton, Mr. Daniel Catling.
New Hartford, Capt. Isaac Kellogg, Mr. Martin Smith.
Stratford, Colo. Robert Walker, Capt. Ichabod Lewis.
Norwalk, Mr. Thomas Fitch jun., Mr. Peter Lockwood.
Lyme, Mr. John Lay 2d, Mr. Samuel Holden Parsons.
Hebron, Mr. Benjamin Buell.
[2] Woodbury, Mr. Daniel Sherman, Capt. Increase Moseley.
Sharon, Capt. John Williams, Capt. Caleb Jewet.
Woodstock, Capt. Nehemiah Lyon, Mr. Eben[r] Smith jun.
Killingly, Mr. Bryant Brown, Mr. Ebenezer Learned.
Ashford, Mr. Amos Babcock, Mr. Ezra Smith.
Coventry, Mr. Phineas Strong, Mr. Ephraim Root.
Endfield, Capt. Joseph Olmstead, Mr. Edward Collins.
Mansfield, Mr. Benjamin Chaplin, Mr. Jonathan Gurley.
Canaan, Colo. David Whitney, Capt. Charles Burrell.
Wallingford, Mr. Charles Whittlesey, Capt. Samuel Hull.
Bolton, Capt. Benjamin Talcott, Mr. Stephen Cone.
Cornwal, Mr. Thomas Russell, Mr. Joshua Pierce.
Danbury, Capt. Daniel Benedict, Mr. Joseph Platt Cook.
Weathersfield, Capt. Elisha Williams, Capt. Thomas Belding.
Pomfret, Colo. Ebenezer Williams.
Stonington, Capt. Joseph Denison, Mr. Simeon Minor.
Saybrook, Mr. John Shipman, Major Jedediah Chapman.
Glastonbury, Mr. John Kimberly, Mr. William Welles.
Lebanon, Capt. Joshua West, Mr. William Williams.
Groton, Colo. Christopher Avery, Capt. Jabez Smith.
Waterbury, Capt. Timothy Judd, Mr. Stephen Upson jun.
Symsbury, Mr. Hezekiah Humphry, Capt. John Case.
Preston, Mr. Joseph Kinnee, Capt. John Tyler.
Ridgfield, Mr. Timothy Keeler.
Plainfield, Capt. Isaac Coit, Captain John Douglass.
Canterbury, Mr. John Curtiss, Capt. Obadiah Johnson.
New Town, Mr. Daniel Booth, Capt. Amos Botsford.
Sommers, Mr. Joseph Sexton.
Midletown, Mr. Seth Whetmore, Mr. Mathew Talcott.
Durham, Colo. Elihu Chauncey, Capt. James Wadsworth.
Greenwich, Capt. Jabez Sherwood.
East Haddam, Colo. Joseph Spencer.

Capt. Jabez Huntington, Speaker } of the House
Mr. Abraham Davenport, Clerk } of Representatives.

[3] This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of said Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer

and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and count them; which persons so appointed were, Jonathan Trumble, Hezekiah Huntington, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon, Eliphalet Dyer, Esq^{rs}, Colonel Samuel Talcott, Mr. William Wolcott, Mr. Samuel Bishop, Capt. James Wadsworth, Mr. Simeon Minor, Capt. Jeremiah Miller, Mr. David Burr, Mr. Thomas Fitch jun., Mr. John Curtice, Mr. Samuel Gray, Colo. Ebenezer Marsh and Mr. Cyrus Marsh, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Hon^{ble} Thomas Fitch, Esq^{r}, is chosen Governor of this Colony for the year ensuing.

The Hon^{ble} William Pitkin, Esq^{r}, is chosen Deputy Governor of this Colony for the year ensuing.

Ebenezer Silliman, Esq^{r}, Jonathan Trumble, Esq^{r}, Hezekiah Huntington, Esq^{r}, Andrew Burr, Esq^{r}, John Chester, Esq^{r}, Benja. Hall, Esq^{r}, Daniel Edwards, Esq^{r}, Jabez Hamlin, Esq^{r}, Mathew Griswold, Esq^{r}, Shubael Conant, Esq^{r}, Elisha Sheldon, Esq^{r}, Eliphalet Dyer, Esq^{r}, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq^{r}, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^{r}, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony and the oath required by act of Parliament, relating to Trade and Navigation, were administered in presence of this Assembly by the Hon^{ble} William Pitkin, Esq^{r}, Deputy Governor, to the Hon^{ble} Thomas Fitch, Esq^{r}, now chosen Governor.

The Hon^{ble} William Pitkin, Esq^{r}, now chosen Deputy Governor, had the Deputy Governor's oath, prescribed by law, administered to him by his Honor the Governor in the presence of the Assembly.

The Assistant's oath, prescribed by law, was administered by his Honor the Governor to Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, Andrew Burr, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon and Eliphalet Dyer, Esq^{rs}, now chosen Assistants.

The Treasurer's oath, prescribed by law, was administered by his Honor the Governor to Joseph Talcott, Esq^{r}, now chosen Treasurer.

The Secretary's oath, prescribed by law, was administered by his Honor the Governor to George Wyllys, Esq^{r}, now chosen Secretary, in the presence of the Assembly.

Ordered, That Shubael Conant and Samuel Gray, Esq^{rs}, return the thanks of this Assembly to the Reverend Mr. Stephen White, for his sermon delivered before this Assembly on the 12th instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon^{ble} William Pitkin, Esq^{r}, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq^{r}, Daniel Edwards, Esq^{r}, Benjamin Hall, Esq^{r}, and Robert Walker, Esq^{r}, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^{r}, to be Judge of the County Courts in and for the county of Hartford the year ensuing.

[4] This Assembly do appoint Roger Newton, Esq^{r}, to be Judge of the County Courts in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^{r}, to be Judge of the County Courts in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq^{r}, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq^{r}, to be Judge of the County Courts in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, to be Judge of the County Courts in and for the county of Litchfield the year ensuing.

This Assembly do appoint Daniel Edwards, Esq^{r}, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esq^{r}, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq^{r}, to be Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq^{r}, to be Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq^r, to be Judge of the Court of Probate for the district of Windham the year ensuing.

This Assembly do appoint Jabez Fitch, Esq^r, to be Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly do appoint Timothy Stone, Esq^r, to be Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly do appoint Daniel Sherman, Esq^r, to be Judge of the Court of Probate for the district of Woodbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq^r, to be Judge of the Court of Probate for the district of Stamford the year ensuing.

This Assembly do appoint Joseph Spencer, Esq^r, to be Judge of the Court of Probate for the district of East Hadam the year ensuing

This Assembly do appoint Ebenezer Marsh, Esq^r, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esq^r, to be Judge of the Court of Probate for the district of Danbury the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r, to be Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r, to be Judge of the Court of Probate for the district of Midletown the year ensuing.

This Assembly do appoint Ebenezer Williams, Esq^r, to be Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the Court of Probate for the district of Sharon the year ensuing.

This Assembly do appoint Zebulon West, Esq^r, to be Judge of the Court of Probate for the district of Stafford the year ensuing.

This Assembly do appoint William Wolcott, Zebulon West, Seth Wetmore and Samuel Talcott, Esquires, Justices of the Peace and Quorum for the county of Hartford the year ensuing.

[5] This Assembly do appoint Thomas Wells, Phineas Lyman, Joseph Talcott, George Wyllys, Thomas Hosmer,

John Ledyard, Jonathan Hills, Thomas Seymour, Daniel Bissell, Samuel Eno, Erastus Wolcott, Josiah Bissell, Elizur Goodrich, Jonathan Belding, Elisha Williams, Joseph White, Joseph Southmayd, Nathaniel Chauncey, Mathew Talcott, Joseph Hooker, John Hooker, Solomon Whitman, Hezekiah Gridley, Jared Lee, Joseph Hart, John Strong, John Owen, Judah Holcomb, Hezekiah Humphrey, Jona. Pettibone, Samuel Kent jun., Hezekiah Brainerd, Joseph Wells, Joseph Spencer, Daniel Cone, Daniel Brainerd jun., Jonathan Hale, John Kimberly, William Wells, Epaphras Lord, John Watrous, John Phelps, Alexander Phelps, Thomas Pitkin, Elisha Steel, Abner Barker, Isaac Pinney, Samuel Reynolds, Ephraim Terry, John Pitkin, Daniel Foot, Esq^{rs}, to be Justices of the Peace for the county of Hartford the year ensuing.

This Assembly do appoint Joseph Fowler, Esq^{r}, a Justice of the Peace for the county of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esq^{r}, Elihu Chauncey, Esq^{r}, Timothy Stone, and Thomas Darling, Esq^{rs}, Justices of the Peace and Quorum for the county of New Haven for the year ensuing.

This Assembly do appoint Samuel Sherman, John Whiting, Samuel Sacket, Daniel Lyman, Roger Newton, Robert Treat, Nathan Baldwin, Joseph Woodruff, John Fowler, Samuel Bassett, Samuel Riggs, Timothy Russell, Daniel Holbrook, Charles French, Thomas Clark, Thomas Mathews, Joseph Hopkins, Caleb Hummiston, Samuel Hall, John Hall 2d, Elihu Hall, Ezekiel Rice, Caleb Merriman, Charles Whittlesey, James Wadsworth jun., Theophilus Roseter, Samuel Robinson, Nathaniel Ruggles, John Grave, Nathaniel Hill, Jonathan Russell, Samuel Barker, Josiah Rogers, James Barker, William Hoadly, Samuel Hemingway, Esq^{rs}, Justices of the Peace in and for the county of New Haven for the year ensuing.

This Assembly do appoint John Griswold, Esq^{r}, Christopher Avery, Esq^{r}, Isaac Huntington, Esq^{r}, Richard Lord, Esq^{r}, Pygan Adams, Esq^{r}, Justices of the Peace and Quorum for the county of New London for the year ensuing.

This Assembly do appoint John Richards, Daniel Coit, William Hillhouse, Jeremiah Miller, Ebenezer Bachus, Jabez Huntington, William Whiting, Jacob Perkins, Ebenezer Hartshorn, Humphry Avery, Simon Tracy jun., Luke Perkins, William Williams, Nathan Smith, Ebenezer Avery, Joseph Denison, Samuel Prentice, Amos Cheesbrough, John Williams, Samuel Morgan, Samuel Coit, William Whitter, Nathaniel

Clark, Jedediah Chapman, John Tulley, Hezekiah Whittlesey, Elnathan Stephens, Joseph Wilcocks, Benjamin Gale, Aaron Elliot, Samuel Ely, John Lay 2d, Benjamin Lee, George Dorr, Samuel Selden, Esquires, Justices of the Peace in and for the county of New London for the year ensuing.

This Assembly do appoint Jonathan Hoit, David Rowland, Samuel Fitch, John Read, Esquires, Justices of the Peace and Quorum for the county of Fairfield for the year ensuing.

This Assembly do appoint Robert Walker, Robert Fairchild, Agur Tomlinson, Samuel Adams, Ichabod Lewis, Theophilus Nichols, James Walker, William Burr, David Burr jun., Moses Dimon, Samuel Sherwood, Joseph Platt, Elias Betts, Theophilus Fitch, Thomas Fitch jun., Jonathan Maltbie, Abraham Davenport, John Ferriss, Peter Mead, Samuel Olmstead, Samuel Smith the third, Thomas Benidict, Samuel Grigory, Comfort Starr, Ephraim Hubbel, Caleb Baldwin, Richard Fairman, Thomas Brush, Thomas Benedict jun., Esquires, Justices of the Peace in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Shubael Conant, Esq^{r}, Justice of Quorum for the county of Windham for the year ensuing.

This Assembly do appoint John Dyer, Jabez Fitch and Joshua West, Esq^{rs}, Justices of the Peace and Quorum for the county of Windham for the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Samuel Gray, Jedediah Elderkin, Nathaniel Wales jun., Joseph Clark, William Metcalf, William Williams, Joseph Storrs, Joseph Strong jun., Phineas Strong, Samuel Huntington (of Canterbury,) John Curtiss, Benjamin Wheeler, Samuel Danielson, Jacob Dresser, Thomas Moffit, Timothy Sabin, Ebenezer Williams, William Osgood, Thomas Williams, John Grosvener, Samuel Chandler, Ebenezer Smith jun., Nathaniel Child, Ebenezer Wales, Elijah Whiton, John Smith, Robert Dixson, Jeremiah Keeney, Isaac Coit, Esquires, Justices of the Peace for the county of Windham for the year ensuing.

[6] This Assembly do appoint Colo. Ebenezer Marsh, Increase Mosely, Daniel Sherman, Bushnel Bostwick, Esquires, Justices of the Peace and Quorum for the county of Litchfield for the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Jacob Woodruff, Isaac Baldwin, Daniel Everit, Elisha Stoddard, Benjamin Hinman, Tilley Blakely, Paul Welch, John Ransom, Daniel Lee, Nathan Eliott, Daniel Griswold of

Sharon, James Landon, John Hutchinson, David Whitney, John Bebee, John Beach, Samuel Pettibone, Moses Lyman, John Patterson, Thomas Russell, Cyprian Webster, Abijah Catling, Isaac Kellogg, Mathew Gillit, John Cook, Epaphras Sheldon, Michael Humphry and Samuel Bostwick, Esquires, Justices of the peace for the county of Litchfield for the year ensuing.

An Act for Relief of Insolvent Debtors who are willing to make Discovery of and deliver upon Oath their Estates for their Creditors' Benefit, and to release such Debtors from Imprisonment.

Whereas provisions for the ease and relief of such debtors who shall be willing to satisfy their creditors to the utmost of their power may likewise prove for the benefit of such creditors by preventing such debtors from wasting their estates, which ought to be applied towards payment of their debts, and avoiding many inconveniences that often happen to creditors and debtors in cases of insolvency: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That any person or persons who heretofore have been or hereafter shall be arrested at the suit of any creditor or creditors, or charged in executions for any sum or sums of money and thereon confined in gaol, who is, are or shall be willing to pay and satisfy their creditors so far as they are able, and to give up his, her or their estate or estates for the benefit of his, her or their creditors to be distributed among them in discharge of their debts as far as the same will extend, may exhibit a petition to the superior courts, or to the judges of said court in the vacation, or any two of them, certifying the cause of his, her or their imprisonment, setting forth a just and true account of all the sums of money owing by him, her or them, and of the persons to whom, and also a true and compleat inventory of all his, her or their estate or estates, both real and personal, in law and equity, and books, bonds, notes and securities relating to the same or any part thereof, except the necessary wearing apparrel and bedding of such debtor or debtors and of his and their several wives and children, and praying for the relief provided in this act; and thereupon the said court, judges, or any two of them, are hereby impowered to administer to such debtor or debtors an oath to the effect following:

You A. B. do solemnly swear by the Everliving God, that the petition by you presented doth contain a just and true account of all the monies owing by you, of the persons to whom, and of all your estate real or personal both in law and equity, either in possession, reversion or remainder, to the best

of your knowledge and remembrance, except the necessary wearing apparrel and bedding of yourself, your wife and children, and that you have not at any time before or since your imprisonment, directly or indirectly, sold, conveyed, made over or otherwise disposed of, either in trust for yourself or otherwise than is mentioned in the same account, any part of your lands, estate, goods, stock, money, debts, or other real and personal estate, whereby to have or receive any benefit or profit to yourself or your family, or with any view or design to deceive, injure or defraud any of your creditors: So help you God.

Which oath being taken by such debtor or debtors, the said court, judges, or any two of them, being satisfied of the truth thereof shall make a rule or order that the creditor or creditors at whose suit such prisoner or prisoners shall stand committed shall be summoned to appear at time and place by said court, judges, or any two of them, appointed for hearing and examining the matter of such petition; and a copy of such rule and order shall be served on such creditor or creditors, or the attorney last employed by him or them, or left at their respective dwelling-houses or usual places of abode, twenty days at least before said day for hearing as aforesaid; and also notice shall thereupon be given by such debtor or debtors, to all their creditors, by advertising the same in one or more of the public news-papers, to shew cause by the day appointed as aforesaid, why an assignment of the estate of such debtor or debtors should not be made and the debtor or debtors thereupon discharged from his, her or their imprisonment; at [7] which day if the || creditors do not shew sufficient cause to the contrary thereof, the said court, judges, or any two of them, shall direct a legal grant, conveyance and a short assignment of such debtor or debtors' estate or estates, both in law or equity, to be made by him or them to such persons as the said court, judges, or any two of them, shall appoint for that purpose, and the same shall thereby vest in the assignees so appointed according to the estate and interest the prisoner had therein, and they may take possession and sue for the recovery of the same, and no release of such prisoner, his executors or administrators, or any trustee for him subsequent to such assignment and conveyance, shall be pleadable in bar of any action or suit which shall be commenced by such assignees for any of the prisoner's estate, debts or effects; and upon such assignment and conveyance being executed, the prisoner shall be discharged out of custody by rule or order of the said court, judges, or any two of them; and such

rule or order being produced to and copy thereof left with the sheriff or gaoler shall be a sufficient warrant to him to discharge such prisoner.

And be it further enacted by the authority aforesaid, That such assignees shall have power and authority to sell and dispose of the estate of such debtor or debtors and to execute good and sufficient deeds of the same, to redeem all mortgages and conditional contracts, and to recover all monies, goods, chattels, effects and estates whatsoever, belonging to such debtor or debtors, in their own names, to and for the use of the creditors, and shall have full power and authority to submit any dispute concerning any part of such estate, effects, or any matter or thing relating thereto, or in respect of any debt claimed to be due to such prisoner to the final determination of arbitrators chosen by the assignees and the party or parties with whom any such difference shall be, or otherwise settle and agree the matter as such assignees shall think fit and can agree, and the same shall be binding to all concerned; and the assignees indemnified for what they shall faithfully and justly do in the premises. And in all cases where mutual credit shall have been given between such prisoner and any other person before the delivery of the petition and inventory of such prisoner's estate and effects upon oath as before directed, the assignees shall on their part state and allow an account between them, and nothing more shall be deemed as the estate and effects of such prisoner than what shall appear to have been due and coming to him on the balance of such account; and the assignees shall proceed to convert the estate of such debtor or debtors into money as soon as conveniently may be, and shall within a reasonable space of time, not exceeding twelve months, proceed to make a division of all the money that shall come to their hands out of the estate of such debtor or debtors, first giving sufficient notice of the time and place of making such dividend by advertising the same in one or more of the public news-papers; and shall, in like manner and upon like notice given, make a second dividend of what money may come to their hands or be recovered and received by them after the first division, if the whole estate shall not be settled at that time, and so from time to time until a final settlement thereof and a full, just and equal division made of the whole of such estate.

And be it further enacted by the authority aforesaid, That the assignees shall, before any dividend be made, appoint a day and time at least one month before any dividend be made of such estate, by advertising the same in one or more of the

public news-papers, for a general meeting of all such creditors as shall see fit to attend, to examine and ascertain the debts due to each creditor; and in case of any controversy relating to any debt or sum of money due to any creditor, the same shall be settled by arbitrators, not being creditors, and mutually chosen by the assignees and the creditor or creditors with whom such dispute doth arise, who shall finally settle such controversy and ascertain the sum due to such creditor. And in case any creditor upon such controversy arising shall refuse to join in the nomination and appointment of arbitrators, the assignees are hereby impowered to nominate and appoint them.

And be it further enacted by the authority aforesaid, That such assignees shall, immediately upon the assignment of such debtor or debtors to them made as aforesaid, take an oath, to be administered by the said court, judges, or any one of them, well and faithfully to manage the estate of such debtor or debtors as shall come to his or their hands, and shall for that purpose keep regular books of accounts for their receipts and disbursements of such debtor or debtor's estate, to which every creditor at all seasonable times may have recourse. And the said assignees shall be allowed for [8] their service || such a consideration as the creditors and they shall agree and fix upon or the said court, judges, or any two of them, shall think meet, out of the money received by them, before the division of said estate be made.

And be it further enacted by the authority aforesaid, That for the more full discovery of the goods, chattels, debts, effects and estate of any such debtor or debtors, the said court or judges, or any one of them, upon application made to them or either of them by such assignees, shall have full power and authority to examine the wives of every such debtor or debtors, and all and every other person or persons whatsoever known or suspected to detain any of the estate or to be indebted to such debtor or debtors, and to summon them or any of them for that purpose; and in case they or any of them refuse to attend upon such summons, having no reasonable excuse, or shall refuse to be sworn, that then it shall and may be lawful for the said court, judges, or any one of them, to commit such person or persons to gaol, there to remain until said person shall submit to be examined in manner aforesaid touching the effects of such debtor or debtors.

And be it further enacted by the authority aforesaid, That if any creditor or creditors of such debtor or debtors shall neglect or refuse to give notice of and prove his or their

debts in manner herein before directed, within the time herein before mentioned for the first dividend to be made, such creditor so neglecting or refusing shall lose his share of such dividend, and the assignees shall be discharged of and from the same by this act; and the whole money shall be divided to and among the other creditors who shall have proved their debts pursuant to the intention of this act. But in case the whole estate of such debtor or debtors shall not be settled and divided at the time of the first dividend, and such neglecting and refusing creditor shall prove and notify the assignees of such debt before the time appointed for the second, then and in such case such creditor shall have his first dividend, or so much money as he would have been intituled unto on the first dividend, if his debt had been proved before any second dividend be made among the creditors; after which second dividend made no creditor shall be permitted to prove any debt in order to entitle to a share of the debtor's estate, but shall by this act be debarred of and from any share of the same.

And be it further enacted by the authority aforesaid, That every such debtor or debtors giving up his, her or their estates, as aforesaid, and conforming in all things as in and by this act is directed, shall be discharged from all debts owing by him, her or them, at the time of the assignment made; and if he, she or they be prosecuted for any debt due before he, she or they shall be discharged upon common bail, and shall and may plead in general, that the cause of action accrued before his, her or their discharge by virtue of this act; and shall and may give this and the special matter in evidence; and if a verdict pass for the defendant, or the plaintiff become non-suit, or judgment be given against the plaintiff, the defendant shall recover his cost.

And be it further enacted by the authority aforesaid, That if such prisoner shall deliver a false or untrue account, or shall designedly conceal and not insert therein any books, papers, securities or writings relating to his estate or estates, with intent to defraud his creditors, and shall be thereof convicted on any indictment found against him, he shall suffer the pains and penalties of wilfull perjury.

Provided always, and be it further enacted by the authority aforesaid, That all and every sum and sums of money which are and shall be due and owing from such debtor or debtors to the Governor and Company of this Colony, or to the Treasurer thereof for taxes or duties, shall not be subject and liable to a distribution as in cases of other creditors, but the

whole of such debt, sum and sums of money shall be first paid by such assignees out of the estate of such debtor or debtors before any dividend shall be made thereof, and the overplus after deducting such debts, as also after deducting all such cost, charges and expences as shall be necessarily laid out and expended by the said assignees, together with their allowances for the care and trouble therein, and all cost of suit, prison and gaol fees against such debtor or debtors, shall be divided and distributed to and among the creditors of such debtor or debtors, in due and equal proportion to their respective debts to them due and owing, in which distribution and division no preference shall be given to debts due by specialty, or to any judgment entered against such debtor or debtors.

[9] *Provided always, and be it hereby enacted by the authority aforesaid*, That if any person or persons shall be sued or prosecuted by any action, bill, plaint or information, for anything done and to be done by him or them in prosecution of this act, it shall and may be lawful to and for such person or persons to plead the general issue and give this act and the special matter in evidence.

Provided always, and be it further enacted by the authority aforesaid, That in case the estate of such debtor or debtors shall be more than sufficient to pay all his or their debts and all costs and charges attending the assignment of the same in pursuance of this act, that then the remainder of the money or estate, after payment of the creditors and all cost and charges as aforesaid, shall be paid by the assignees to such debtor or debtors, his, her or their executors or administrators.

Provided nevertheless, That if it shall appear upon such inquiry by said court, or any two of them as aforesaid, that any such debtor's estate shall not be sufficient to answer more than at the rate of fifteen shillings upon the pound of his debts, and the creditor or creditors shall desire to have such debtor in service, it shall be in the power of said court, or any two of them, at their discretion to make an assignment of such debtor to his creditor or creditors, to serve for such time and term as shall be thought just and reasonable for satisfaction of his debts, not exceeding seven years; which assignment and binding shall be sufficient in law for holding such debtor in service; anything in this act to the contrary notwithstanding.

That this act shall continue and be in force for the term of two years from the rising of this Assembly, and no longer:

Provided notwithstanding, that the same shall continue and be in full force as to the powers and authorities in all cases that shall be begun within said two years until a full and final settlement and division shall be made according to the true intent and meaning of this act.

An Act in Addition to an Act entituled An Act for the equal Division and Distribution of Insolvent Estates.

Whereas it is in the second paragraph of said act (among other things) provided, that the judge of probate shall allow six, twelve or eighteen months, for the creditors to bring in their claims and prove their debts; and whereas it often happens that not only that the estates of persons deceased are found to be very small, but their dealings also to have been very small and contracted, so that little time is needed to settle them,

It is thereupon enacted, That the judges of probate in their respective districts within this Colony may hereafter appoint and limit for such purpose such shorter time, (not less than two months,) as the circumstances of the case may admit of; said former act notwithstanding.

An Act in Addition to an Act entituled An Act for preventing, punishing and removing Nuisances in Creeks, Rivers and Water Courses.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no seine shall be drawn in Windsor Ferry River within one mile from the mouth thereof, nor within a quarter of a mile below the mouth thereof, only in the day time between the rising and setting of the sun. And every person or persons that is convicted of the breach of this act shall forfeit the sum of ten pounds, the one half to the complainer who shall prosecute to effect, and the other half to the county treasurer where the offence is committed. This act to be in force three years next after the rising of this Assembly, and no longer.

An Act for repealing one Part or Paragraph of the Law entituled An Act in Addition to the Law of this Colony entituled An Act for forming and regulating the Militia and the Encouragement of Military Skill for the better Defence of this Colony.

Whereas in said act it is enacted that the chief officer in every troop shall cause the arms and ammunition of all under his command, and the chief officer of every company of foot shall cause the arms and ammunition of all under his command and also all others dwelling within the limits of his company, to be viewed not only on the first Monday of May, as in said act is already provided, but also in the same manner shall cause the same to be viewed on the first Monday of [10] October annually: ‖ It now being thought not necessary to view the arms and ammunition of those obliged to keep

arms &c. oftner than once every year, except in case of special order from the colonel or chief officer of the regiment to which they belong,

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority thereof, That the said paragraph or such part thereof as relates to the viewing of arms and ammunition on the first Monday of October annually be repealed, and the same is hereby repealed and made void.

Whereas the exigences and emergencies of government at this time, for payment of the officers and men for their service in the last campaign, and other expences of the Colony, require a speedy and considerable supply of the treasury: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That there be forthwith imprinted the sum of ten thousand pounds in bills of credit on this Colony, equal to lawful money, of suitable denominations from five shillings to forty shillings, as the committee herein appointed shall direct, of the same tenor of the emissions of bills of credit with interest at £5 *per cent. per annum*, and payable at or before the first day of May, 1765, and dated the day of the sessions of this Assembly. And the Hon^ble^ William Pitkin, Esq^r^, John Chester, Daniel Edwards and George Wyllys, Esq^rs^, or any three of them, are appointed a committee for the purpose aforesaid, and take care that said bills be printed with all convenient speed, and to sign and to deliver the same to the Treasurer, taking his receipt therefor, and the said committee be sworn to a faithful discharge of their said trust. And the Treasurer is hereby directed to pay out all the aforesaid bills of credit with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund, to call in, sink and discharge the aforesaid sum of ten thousand pounds, according to act of Parliament made in the twenty-fourth year of the reign of his late Majesty King George the second, entituled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire in America, and to prevent the same being legal tenders in payment of money,—a tax of two pence on the pound is hereby granted and ordered to be levied on all the polls and rateable estate in this Colony according to the list thereof to be brought into this Assembly in October, 1763,

with the additions : which shall be collected and paid into the treasury of this Colony by the last day of December, 1764 ; which tax may be discharged by paying the bills emitted by this act or lawful money, and no otherwise ; and the Treasurer is hereby directed to send forth his warrants accordingly.

Be it further enacted, That a rate or tax of one penny on the pound be and is hereby granted and ordered on the polls and rateable estate in this Colony according to the list brought in to this Assembly in October last with the additions, to be collected and paid by the last day of December next in lawful money or bills of credit of this Colony ; and the Treasurer is hereby directed to send forth his warrants accordingly.

This Assembly do appoint and impower Richard Jackson of Inner Temple, London, Esq^r^, Agent and Attorney for the Governor and Company of this Colony, to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1761, and accordingly give his receipt therefor. And it is hereby ordered, that a proper instrument of procuration or letter of attorney be made in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully impowering said Richard Jackson, Esq^r^, for the purposes aforesaid.

Resolved by this Assembly, That Richard Jackson of Inner Temple, London, Esq^r^, Agent for this Colony, who is impowered to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1761, be and he is hereby directed on receipt of the same to lodge it in some secure bank in London for safety, in the name and for account of this Colony, to be drawn out by the Agent or Agents for this Colony for the time being, and by the first good opportunity to inform thereof. And he is further directed, to pay out of the same all such bills of exchange as may be drawn on him by his Honor the Governor in favour of any person or persons whomsoever.

[11] The Hon^ble^ William Pitkin, Esq^r^, John Chester and George Wyllys, Esq^rs^, are hereby appointed a committee, they or any two of them, to sell the money granted by Parliament which is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1761, as soon as certain intelli-

gence is had that said money is received by Mr. Agent Jackson. And the said committee are hereby directed to sell the same for the full value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March, 1761, to any person or persons that shall appear and pay the value thereof, as aforesaid, into the treasury of this Colony; and when such contract is made and the money or bills aforesaid paid into the treasury as aforesaid, and the Treasurer's receipt produced to said committee in evidence thereof, the said committee is directed to lodge the same with the Secretary of this Colony and make a proper certificate thereof to his Honor the Governor; and on receipt of such certificate his Honor the Governor is hereby desired and impowered to draw proper bills of exchange on the said Richard Jackson, Esq^r, in favour of such purchaser or purchasers for the payment of such sum or sums as he or they shall have purchased as aforesaid.

Whereas some recruiting officers and recruits in his Majesty's regular forces were the last winter sent into this Colony by order from his Excellency Sir Jeffry Amherst, and recommended by his Honor the Governor of this Colony to the civil authority, requiring their aid in billeting &c, which party have been billeted on the tavern-keepers in the respective towns where they have been, with an expectation that such tavern-keepers would be entituled to receive three pence lawful money per day out of the Colony treasury over and above what is paid by such officer and soldier, agreeable to an act of this Assembly made in October, 1759, which act was a limited act, and was to continue and be in force until the last day of November, 1760, and no longer; which said act has not been since revived, and the Treasurer cannot answer any orders drawn on him for said three pence per day,

It is therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That any person in this Colony on whom any non-commission officer or foot-soldier belonging to any recruiting party of his Majesty's regular troops has been billeted by any magistrate or justice of the peace on any tavern-keeper or householder in this Colony during the last winter and until the rising of this Assembly shall be entitled to receive out of the treasury of this Colony the sum of three pence lawful money *per diem* for each non-commission officer and soldier billeted as aforesaid; and such Assistant or justice of the peace who gave such billet with another Assistant or justice of the peace be and is hereby impowered to make up and allow such accounts and draw on the Treasurer of this Colony for the payment thereof.

Considering the smiles of Divine Providence in terminating a bloody and expensive war in which our nation have long been involved, in the settlement of an happy and extensive peace, the blessings of which demands our sincere return of gratitude to Almighty God: Resolved by this Assembly, that his Honor the Governor be desired to issue a proclamation for the observation of Wednesday the sixth day of July next as a day of Thanksgiving throughout this government, suitable to so important and happy an event.

On the representation of the committee for building the State House in the county of New Haven: Resolved by this Assembly, that one moiety or half part of the cost and charge that shall accrue in the building and decent and well finishing of said house shall be paid out of the treasury of this Colony, and the other half shall be borne and paid by the inhabitants of the said county of New Haven. And the Treasurer is hereby ordered to pay unto the committee for building said house the sum of three hundred pounds, towards carrying on and compleating the same; and the remainder of such half part of such cost and charge the Treasurer is hereby ordered to pay unto said committee when said house shall be compleated and finished and the accounts thereof shall be liquidated and settled by the committee appointed by this Assembly to oversee and direct in the finishing said house. And it is further resolved, that the civil authority in said county of New Haven be and hereby are directed to meet at such time and place as shall be appointed by the judge of the county court in said county with the advice of two justices of the quorum, and such tax or taxes to levy and collect from the inhabitants of said county as shall be necessary for paying the other half part of the cost and charge aforesaid. And the judge of said county court is hereby directed as soon as may be, to assign time and place for the meeting of the civil authority for the purpose aforesaid.

[12] This Assembly do appoint Seth Payne jun., of Pomfret, Surveyor of Lands in and for the county of Windham.

This Assembly do appoint Gideon Wells of Fairfield Surveyor of Land within and for the county of Fairfield.

This Assembly do establish William Gould to be Captain of the third company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Samuel Russell to be Lieutenant of the third company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Nathaniel Gallop to be Ensign of the 5th company or trainband in the town of Stonington.

This Assembly do establish Benjamin Clark to be Captain of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Asaph Smith to be Lieutenant of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Calvin Eaton to be Ensign of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Samuel Blakslee to [be] Lieutenant of the third company or trainband in the town of Woodbury.

This Assembly do establish Mr. James Hylier jun. to be Captain of the first company or trainband in the town of Symsbury.

This Assembly do establish Mr. Peter Holcomb to be Lieutenant of the first company or trainband in the town of Symsbury.

This Assembly do establish Mr. David Atwater to be Lieutenant of the first company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Joseph Thompson to be Ensign of the first company or trainband in the second regiment in this Colony.

This Assembly do establish John Rogers to be Captain of the first company or trainband in the town of New London.

This Assembly do establish Mr. Thomas Harris to be Lieutenant of the first company or trainband in the town of New London.

This Assembly do establish Mr. Nathaniel Hempstead to be Ensign of the first company or trainband in the town of New London.

This Assembly do establish Mr. John Granger to be Captain of the third company or trainband in the town of Suffield.

This Assembly do establish Mr. John Haunchet to be Lieutenant of the third company or trainband in the town of Suffield.

This Assembly do establish Mr. Nathaniel Norton to be Ensign of the third company or trainband in the town of Suffield.

This Assembly do establish Mr. Elnathan Chauncey to be

Captain of the first company or trainband in the town of Durham.

This Assembly do establish Mr. Samuel Parsons to be Lieutenant of the first company or trainband in the town of Durham.

This Assembly do establish Mr. Israel Camp to be Ensign of the first company or trainband in the town of Durham.

This Assembly do establish Mr. Jehiel Hawley to be Captain of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Samuel Canfield to be Lieutenant of the 2d company or trainband in the town of New Milford.

[13] This Assembly do establish Mr. Jonathan Benedict to be Ensign of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Jesse Root to be Lieutenant of the fourth company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Fish to be Captain of the third company or trainband in the town of Groton.

This Assembly do establish Mr. Thomas Fish to be Lieutenant of the third company or trainband in the town of Groton.

This Assembly do establish Mr. Stephen Billings to be Ensign of the third company or trainband in the town of Groton.

This Assembly do establish Mr. Nathaniel Sealey to be Captain of the company or trainband in the eastern part of North Fairfield and part of North Stratford.

This Assembly do establish Mr. Abel Hall to be Lieutenant of the company or trainband in the eastern part of North Fairfield and part of North Stratford.

This Assembly do establish Mr. Benjamin Payne to be Ensign of the first company or trainband in the town of Hartford.

This Assembly do establish and confirm Mr. Timothy Loomiss to be Ensign of the first company or trainband in the town of Windsor.

This Assembly do establish Mr. Joseph Beacher to be Captain of the 10th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Timothy Bradley to be Lieutenant of the 10th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Nathaniel Sperry to be

Ensign of the 10th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Joel Hotchkiss to be Captain of the company or trainband in the parish of Bethany.

This Assembly do establish Mr. John Lines to be Lieutenant of the company or trainband in the parish of Bethany.

This Assembly do establish Mr. Timothy Ball to be Ensign of the company or trainband in the parish of Bethany.

This Assembly do establish Mr. William Belcher to be Ensign of the 3d company or trainband in the town of Preston.

This Assembly do establish Mr. Eliada Parker to be Captain of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Charles Sperry to be Lieutenant of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Moses Roys to be Ensign of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. John St. John to be Captain of the north company or trainband in the town of Sharon.

This Assembly do establish Mr. Samuel Hurlburt to be Lieutenant of the north company or trainband in the town of Sharon.

This Assembly do establish Mr. Ebenezer Gay to be Ensign of the north company or trainband in the town of Sharon.

This Assembly do establish and confirm Mr. Thomas Hawley to be Captain of the 1st company or trainband in the town of Ridgfield.

This Assembly do establish and confirm Mr. James Scott to be Lieutenant of the 1st company or trainband in the town of Ridgfield.

This Assembly do establish and confirm Mr. Ebenezer Jones to be Ensign of the 1st company or trainband in the town of Ridgfield.

This Assembly do establish Mr. Ebenezer Learned to be Lieutenant of the 11th company or trainband in the 5th regiment in this Colony.

[14] This Assembly do establish Mr. Joseph Marsh to be Captain of the fourth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Timothy Clark to be Lieutenant of the 4th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Samuel Clark to be Ensign of the fourth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Elisha Wales to be Captain of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Stephen Abbot to be Lieutenant of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Work to be Ensign of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Daniel Landon to be Captain of the first company or trainband in the town of Litchfield.

This Assembly do establish Mr. John Randal to be Lieutenant of the 3d company or trainband in the town of Stonington.

This Assembly do establish Mr. John Breed jun. to be Ensign of the 3d company or trainband in the town of Stonington.

This Assembly do establish Mr. John Persival to be Captain of the eighth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joshua Brainerd to be Lieutenant of the 8th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Thomas Fullar second to be Ensign of the eighth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Elijah Smith to be Ensign of the third company or trainband in the town of Lyme.

This Assembly do establish Samuel Robertson to be Captain of the fourth company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Trumble to be Captain of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Elijah Tisdall to be Lieutenant of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Walter Hide to be Ensign of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Timothy Dimmock to be Ensign of the 4th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Russell to be Captain of the 2d company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Nathaniel Brown to be Lieutenant of the 2d company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Samuel Johnson to be Ensign of the second company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Abner Mallery to be Lieutenant of the first company or trainband in the town of Woodbury.

This Assembly do establish Mr. Solomon Martin to be Ensign of the first company or trainband in the town of Woodbury.

This Assembly do establish Mr. Isaac Holt to be Captain of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. Selah Hart to be Lieutenant of the 7th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Charles Brunson to be Ensign of the 7th company or trainband in the sixth regiment in this Colony.

[15] This Assembly do establish Mr. Joseph Harvey to be Lieutenant of the 4th company or trainband in the town of Lyme.

This Assembly do establish Mr. Harriss Coult to be Ensign of the fourth company or trainband in the town of Lyme.

This Assembly do establish Mr. Elijah Porter to be Lieutenant of the first company or trainband in the town of Farmington.

This Assembly do establish Mr. Isaac Bidwell to be Ensign of the first company or trainband in the town of Farmington.

This Assembly do establish Mr. Thomas Richards to be Captain of the west company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. John Nettleton to be Lieutenant of the west company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. Abel Woodward to be Ensign of the west company or trainband in the parish of Westbury in the town of Waterbury.

This Assembly do establish Mr. Richard Keigwen to be Lieutenant of the 6th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Thomas Douglass to be Ensign of the sixth company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Comfort Sage to be Captain of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel May to be Lieutenant of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Gershom Blyn to be Quarter-Master of the troop of horse in the 6th regiment in this Colony.

This Assembly do establish Mr. Manasseth Leach to be Lieutenant of the 5th company or trainband in the town of New London.

This Assembly do establish Mr. Nathan Clark to be Captain of the 6th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Arnold Tibbalds to be Lieutenant of the 6th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Eliphalet Gillet to be Ensign of the sixth company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Dudley Wright to be Captain of the third company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Pratt to be Ensign of the third company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Brunson to be Lieutenant of the second company or trainband in the first society in the town of Waterbury.

This Assembly do establish William Hickcox to be Ensign of the second company or trainband in the first society in the town of Waterbury.

This Assembly do establish Mr. Joseph Hastins to be Cornet of the troop of horse in the third regiment in this Colony.

This Assembly do establish Mr. Benjamin Merriam to be Ensign of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Thomas Gates to be Lieutenant of the 11th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Thadeus Cook to be Captain of the second company or trainband in the town of Preston.

This Assembly do establish Mr. Nathaniel Cogswell to be Lieutenant of the 2d company or trainband in the town of Preston.

This Assembly do establish Mr. Timothy Lester to be Ensign of the 2d company or trainband in the town of Preston.

This Assembly do establish Mr. Henry Hotchkiss to be Ensign of the south company or trainband in New Cheshire in Wallingford.

This Assembly do establish Mr. Dan Towner to be Lieutenant of the company or trainband in the north society in New Fairfield.

[16] This Assembly do establish Mr. William Gaylord Hubbel to be Ensign of the company or trainband in the north society in New Fairfield.

This Assembly do establish Mr. Simon Fobes to be Lieutenant of the 19th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Enos Woodward to be Ensign of the 19th company or trainband in the 11th regiment in this Colony.

Granted to the Honorable Thomas Fitch, Esq^r^, for drawing bills of exchange &c. at ¼ *per cent.* on the sum of £45894 17*s.* 5*d.* sterling, the sum of one hundred and fifty-two pounds nineteen shillings and eight pence lawful money; and the Treasurer of this Colony is hereby ordered to pay the same accordingly.

Upon the memorial of Barnabas Baldwin of New Haven, preferred to this Assembly in October last, shewing that he gave a bond to the Governor and Company of this Colony, dated in April, 1741, conditioned for payment of £32 10*s.* 0*d.* in new tenor bills of this Colony, so called, or gold equivalent, which bond being afterwards put in suit judgment had been rendered thereon by the superior court held at New Haven in February, 1748, for the sum of £34 9*s.* 2*d.* lawful money; representing that that sum was much more than was due according to the laws and regulations in this Colony respecting those new tenor bills; praying for relief &c.: upon which memorial John Whiting and Thomas Darling, Esq^rs^, were appointed a committee to look into said matter, and who have reported to this Assembly that they are of opinion that £13 7*s.* 8*d.* L. money ought to [be] accepted and allowed as an equivalent to said sum of £32 10*s.* 0*d.* new tenor, and that the sum now due, *viz:* on the 13th day of instant May, according to that rule, computing the interest of the monies due and deducting a certain payment made of part, is £14 7*s.* 0*d.* law-

ful money, and that that sum ought to be paid and received in full discharge of a certain bond which Elihu Hall, Esq^r, the Colony's agent for collecting said debt, received and took from Barnabas Baldwin jun. and Jonathan Atwater jun., conditioned for the sum of £56 13*s.* 6*d.* for securing said debt; as by said report at large may more fully appear, which report hath been accepted: Whereupon it is resolved and ordered by this Assembly, that upon the said Barnabas Baldwin jun. and Jonathan Atwater jun. their paying upon said bond the said sum of fourteen pounds seven shillings lawful money with the lawful interest of that sum from the 13th day of instant May until the same shall be paid, that the same be accepted and received by the Colony's said agent in full discharge of said bond, and that the same bond be accordingly thereupon delivered up and cancelled.

Whereas George Smith of Hartford and the rest of the children and heirs of John Smith formerly of said Hartford, deceased, and Normand Morrison of said Hartford and the rest of the children, grandchildren and heirs of Doct. Normand Morrison late of said Hartford, deceased, and Ann Morrison his widow, joined in a petition preferred to this Assembly in October last, representing that certain difficulties had arisen among them touching the rights of the parties respectively to the estate of the said deceased Smith and Morrison, and that by reason of some particular difficulties the said matters could not be settled and right be done by suits at law, and praying to have committee appointed by this Assembly to hear, examine and a settlement make of their said claims; upon which petition John Chester and Jonathan Trumble, Esq^rs, and Doct. Daniel Lothrop were appointed a committee for the purpose aforesaid, and to make their report to this Assembly at this time: And whereas the aforesaid widow Ann Morrison hath died since the said appointment and before a hearing of the cause before the commissioners, and the surviving parties still standing in need of the same thing being done and declaring before the Court by their respective attornies and guardians (William Tiley of said Hartford being guardian to said Normand and Margaret Morison, two minors formerly under the guardianship of the said Ann, deceased,) that they are desirous of having said matters concluded and determined according to the tenor of the appointment in October aforesaid: It is therefore resolved and ordered by this Assembly, that the said surviving parties to said petition be held to and concluded by the decree and sentence that shall be made of and concerning the premises in pursuance of the report

which shall be made by the said committee: which committee are hereby impowered and directed to proceed and hear the said parties upon said matters, and make their report to this or the Assembly to be held at New Haven in October next.

Whereas upon the petition of Jesse Squire of Cornwall, against David Ingersol, late of Sheffield now of a place called Spencer Town in the Province of New York, preferred to this Assembly in October last, representing that the said Ingersol had obtained judgment against him before the superior court held at Litchfield in August last, for one thousand pounds damages besides costs, on a certain bond given for his, said Squire's, conveying and passing over to said Ingersol [17] his, ‖ said Squire's, homestead in said Cornwall, consisting of a dwelling-house, barn &c., and about fifty acres of land, and that said contract was an agreement to exchange said homestead for a certain right of land by said Ingersol sold to said Squire at a place called Nobletown in the Province of the Massachusetts Bay, and that the said Squire had not been able to obtain said right; further alledging and charging that said agreement was on the part of said Ingersol fraudulent and collusive &c.; praying to have commissioners appointed to look into said matter and for relief in the premises; as by the petition on file, on which petition Messrs. Benjamin Cowles, Moses Lyman and Josiah Stoddard were appointed a committee for the purpose aforesaid, and have made their report to this Assembly, that they find the said contract on the part of said Ingersol to be fraudulent, and that said Squire hath not been able to have any benefit of said supposed right of land, the said Ingersol not having had any title thereto; and that of the sum of £66 0*s*. 0*d*. including a note of £10 0*s*. 0*d*. of said Ingersol's, which he, the said Ingersol, had advanced and paid to said Squire as the difference between said estates proposed to be exchanged as aforesaid he, the said Squire, had upon an after agreement to throw up said bargain repaid back to said Ingersol the sum of £51 10*s*. 6*d*., and that the remaining sum of £14 9*s*. 6*d*. was equitably due to said Squire for his trouble and loss of time in attempting to obtain said right of land &c.; further giving it as their opinion, that said judgment so obtained against said Squire ought not to be enforced, and he, the said Squire, to return to said Ingersol the pretended conveyance received from him of said supposed right: as by the report at large may more fully appear, which report hath been accepted: Whereupon it is enacted and resolved by this Assembly, that there be a perpetual stay of the execution of the said judgment of the su-

perior court rendered on the bond aforesaid, the said Squire having before this Assembly offered and tendered back to said Ingersol's attorney for his use the aforesaid deed that was given of said pretended right of land, and that the said judgment be not by any way or means whatsoever enforced or put in execution, and also that said Squire recover of said Ingersol his reasonable cost on this petition, allowed to be £14 7*s.* 7*d.* L. money. *Ex. granted June 4th*, 1764.

Whereas upon the petition of Jonathan Fowler of Guilford, against Titus Culver of Wallingford, preferred to this Assembly in May, 1761, complaining of fraud in a certain bargain of lands, said originally to belong to one Metoxon an Indian native, praying to have a judgment of New Haven county court in April, 1761, on a certain note of £10 0*s.* 0*d.*, given for a right in said land, set aside &c., Messrs. Joshua West, Ebenezer Bachus and Eleazer Fitch, Esq^rs^, were afterwards, *viz:* in May last, (to which time said petition had been continued,) appointed a committee to look into and make report of said matters of complaint; and whereas upon a representation made to this Assembly in October last, that by reason of certain disappointments said committee had not been able to execute their said trust, and praying to have the same committee reappointed and to make their report at farthest to this Assembly; and whereas the said committee have not as yet been able to make their report: It is now resolved by this Assembly, upon the motion for a new appointment of commissioners in the matters aforesaid, that the said Joshua West, Ebenezer Bachus and Eleazer Fitch, be and they are hereby appointed a committee with full power to notify the parties, examine into the said matter of complaint, and to make their report to this Assembly in October next of what they shall find in the premises, and of all proceedings on the said judgment of said county court are hereby ordered to be stayed in the meantime.

Upon the petition of Joseph Phelps of Symsbury and Hannah his wife, representing that on application of Aaron Clark to them on or about the second day of April, 1761, they had agreed to sell unto him, the said Aaron Clark, a certain tract or parcel of land in said Windsor on the east side of the great river, bounded and described as in said petition, at the price and for the consideration of sixty-five pounds money, twenty pounds eight shillings to be paid down, fourteen pounds twelve shillings to be paid in labour, and thirty pounds to be secured by note; and that whereas the petitioners not being then able to compleat a deed of said premises, the said Joseph, one of

the petitioners, then gave his note of forty pounds money to the said Aaron, to be in force in case the petitioners should not fulfill said bargain and compleat said deed in a short time afterwards; that said deed was afterwards compleated and by false and feigned pretences of the said Aaron he obtained the same and caused the same to be entered on the records of said Windsor without ever fulfilling on his part or paying or securing the price of said land; and that the said Aaron had also fraudulently obtained a judgment on the forty pound note, to the great wrong and injury of the petitioners &c.; praying for a committee &c.: Resolved by this Assembly, that Josiah Bissell, Esq^{r}, and Capt. Nathaniel Loomiss of Windsor, and Hezekiah Humphrey, Esq^{r}, of Symsbury, be and they are hereby appointed a committee, to enquire into the matters referred to in said petition and what relates thereto, by the oaths of the parties or otherwise, and to make report of what they shall find with their opinion thereon to this Assembly at their present sessions or at their sessions in October next.

Upon the petition of Mary Kimberly, of Glastonbury in the county of Hartford in this Colony, the only acting executrix of the last will and testament of Samuel Kimberly late of Glaston-
[18] bury, deceased, ‖ shewing that one John Hill late of said Glastonbury, deceased, some time about the twenty-sixth day of February, A. D. 1759, being much in debt and in want of a large sum of money, and one David Hubbard then of said Glastonbury, Esq^{r}, now deceased, now agreed to supply him therewith if he could procure said Samuel to become bound with said John Hill for £103 8*s*. 0*d*. L. money thereof to be paid to said David at or before the 16th of February, 1761, with the lawful interest, and that said John Hill thereupon made application to said Samuel to become bound with him to said David, and that he, the said John, would give the said Samuel a bond to save the said Samuel harmless therefrom, and that he, the said Samuel, then for the benefit of said John only and at his request became jointly bound with said John Hill to said David for the sum of £103 8*s*. 0*d*. lawful money and lawful interest as aforesaid, and that yet the said bond to save the said Samuel harmless was neglected and not taken during the lives of said David, Samuel and John, since whose deaths actions have been brought by the executors of said David against the said Mary and the executors of the said John and against them recovered judgment for the same with large bills of cost, and that the executors of said John refuse to pay the same; praying for relief therein &c.: Resolved by this Assembly, that Jonathan Hills, Elisha Williams and William

Welles, Esq^rs, be and they are hereby appointed a committee with full power and authority to hear all the parties thereon, make inquiry into the matters set forth in said petition, and report their opinion thereon to this or the next sessions of this Assembly.

Upon the petition of Daniel Welles and Blackleach Wells, both of said Hartford, shewing to this Assembly that they were owners of a certain lot of land in Hartford containing about five or six acres, which hath been derived down to them from their ancestor Mr. Thomas Welles, who lived in the year 1654, which was bounded south on land of Thomas Hosmer, who also lived in the said year 1654, which said Thomas Hosmer was ancestor to Joseph Hosmer of said Hartford, to whom the said Thomas Hosmer's lands were derived, which said Joseph held the same in the year 1761; that the said Thomas Wells and Thomas Hosmer in their lifetime made an agreement in writing under their hands respecting their said adjoining lands, by which, for certain considerations therein mentioned, the said Thomas Hosmer undertook to keep and maintain the whole fence between their aforesaid lands, which instrument or writing was entered on the records of said town of Hartford; that in consequence of such agreement the said Thomas Hosmer and all under him from the said year 1654 until the year 1762 have kept and maintained the whole of said fence between their aforesaid lands and the lands of the said Thomas Wells, and have held and enjoyed the land granted to the said Thomas Hosmer by the said Thomas Welles as a consideration therefor: yet nevertheless, the said Joseph holding the said lands derived to him as aforesaid sold and conveyed the same to Isaac Sheldon of said Hartford sometime about the latter end of the year 1761, and that he, the said Isaac, afterwards refused to maintain the whole of said fence, and upon his application to the selectmen of said Hartford they, said selectmen, on the 5th day of April, 1762, set out the one half of said dividend fence to be maintained by the petitioner, and the other half to said Sheldon to be maintained by him, which doings of said selectmen were entered on the records of said town of Hartford, and the said Sheldon applied to the fence-viewers to make and erect the one half of said fence, which was set out to the petitioners as aforesaid, which said fence-viewers accordingly did, and afterwards had writs of distress against the petitioners to levy double cost for erecting said fence, to the amount of ten pounds money; and praying the interposition of this Assembly for relief, and that this Assembly would order and decree that the doings of said select-

men should be reversed and set aside, and that he be restored to all the damages he hath sustained thereby &c., as by said petition [on] file may more fully appear: It is therefore resolved by this Assembly, that the doings of the selectmen, fence-viewers &c. complained of be reversed and set aside, and that the petitioners be restored to all such damages as they have incurred and cost thereby. And the doings of said selectmen, fence-viewers &c. are hereby set aside and made void.

Upon the petition of Caleb Hotchkiss the second, of New Haven, representing to this Assembly that in the year 1755, he being constable of said town received of Joseph Green and Isaac Walker of Boston an execution in their favour against Abraham Thompson of said New Haven for a large sum which he had opportunity to have levied on said Thompson's body but neglected, hoping to find estate to satisfy the same, but being unable to obtain any said execution expired and he became liable therefor; soon after which said Thompson entirely failed, was committed to gaol, and his creditors lost great part of their debts; that said Thompson and his mother, for securing in some measure the plaintiff, made over to him three sevenths of his, said Thompson's, dwelling-house in said New Haven, which he had built on his said mother's land; that it was afterwards agreed between the petitioner and said Green and Walker, that said three sevenths of said house should be apprized by indifferent men and made over to them, and accordingly the same was apprized at £141 7*s*. 6*d*. lawful money, and the petitioner on the 13th day of August, 1756, made and executed to them a deed thereof and lodged the same in the hands of Jared Ingersol, Esq^r, attorney to said [19] Green and Walker, to be re-delivered to the petitioner || if required, or to be put on record if they see cause, and if by them accepted to allow therefor the sum of the apprizement aforesaid in part of said debt, which deed having remained in said attorney's hands to this time and said Green and Walker in said Walker's lifetime, he being since deceased, and said Green since his death having taken benefit of, leased and received the rents of said house ever since, the petitioner expected they had recorded said deed and accepted the same in payment as aforesaid; that nevertheless the said Green, as surviving partner to said Walker, hath since obtained judgment before the county court held at New Haven on the first Tuesday of April, 1763, for the sum of £158 13*s*. 1½*d*. damages and £3 2*s*. 9*d*. cost, in consequence of his having neglected to levy said execution, and now refuses to accept said house in part of said judgment; praying that said Green may be enforced

to accept thereof and perform the agreement aforesaid &c., as per petition on file at large appears: Resolved by this Assembly and it is hereby enacted and decreed, that the said Green shall receive said deed so lodged in said attorney's hands for the purposes aforesaid, and shall allow therefor on the said judgment the sum of £141 7*s*. 9*d*. and that he, the said Hotchkiss, on payment of the sum of £20 9*s*. 0½*d*., lawful money, being the residue of said judgment for damages and cost, shall be discharged and thereof acquitted.

On the memorial of the Reverend Mr. Eleazer Wheelock, representing that for some years past he has had under his care and tuition several youths of the distant Indian tribes, at present increased to more than twenty in number, with a view to their being by proper discipline and instruction fitted for missionaries, school-masters, interpreters &c., among their own people, and that tho' his past success therein has so recommended his design as to excite the charity and liberality of divers worthy persons in support of almost all the past expences, yet the present aspect of said undertaking seeming to merit as well as require some further assistance, he was induced to ask the favour and countenance of this Assembly therein: And seriously considering the present new and extraordinary prospect (by the blessing of Heaven on his Majesty's arms) doth greatly encourage an attempt to promote christian knowledge and civility of manners among the Indian natives of this land,

This Assembly do thereupon grant and order a Brief throughout this Colony, recommending it to all inhabitants charitably and liberally to their ability to contribute to such pious and important purposes, and that the monies so collected be by the persons therewith intrusted delivered to John Ledyard of Hartford, John Whiting of New Haven, David Gardiner of New London, David Rowland of Fairfield, Samuel Gray of Windham, and Elisha Sheldon of Litchfield, Esq^rs^, each county's collections to their own respective receivers; which receivers are hereby directed to deliver the same to the Treasurer of this Colony, to be by him holden and disposed of as in and by this act provided, taking his receipt therefor and lodging the same with the Secretary.

And it is further resolved, That said Mr. Wheelock do at his discretion, as occasion may be, apply to Jonathan Trumble, Daniel Edwards and George Wyllys, Esq^rs^, for such monies, parcel of such contributed sum, as he shall apprehend to be necessary; which said committee, or any two of them, are hereby appointed, authorized and directed, to draw orders on said Treasurer for such sum or sums thereof

as shall be shewn to them to be useful and necessary in the then present exigencies of said affair, until the whole is exhausted.

Provided nevertheless, That if the state and circumstances of said undertaking by any means hereafter become so altered as in the opinion of said last-mentioned committee to render the further prosecution or support of said affair impracticable or doubtful whether it may answer the good end and design, in such case they are hereby directed to desist drawing as abovesaid, and by the earliest opportunity to advise this Assembly thereof, to the end such further order in the premises be taken as the present emergencies may recommend: Always provided such monies be ultimately and wholly applied to the pious design of propagating the gospel among the heathen.

And it is further ordered, That printed copies of this act be seasonably delivered to the several ministers of the gospel within this Colony, who are hereby also directed to read the same in their respective congregations, and thereon appoint a time for making such collection.

Upon the petition of Joseph Lindsey jun., Josiah Fowler, Daniel Maltbie, Timothy Hoadly, Joseph Lindsey, Amos Harrison, Benjamin Maltbie, Josiah Talmage, Dan Pond, all of Brandford, and Abel Munson, Titus Cook, Caleb Culver, Samuel Culver, Joseph Bartholomew, of Wallingford, William Lewiss of Durham, Isaac Waterman of Middletown, Abner Smith, Samuel Hubbard and Elihu Johnson, of Haddam, against Titus Culver of Wallingford, preferred to this Assembly in May, 1761, complaining of fraud in a certain bargain of lands said originally to belong to one Metoxen, an Indian native; praying to have certain notes of hand declared null and void that were given for the purchase of said lands &c.; Messrs. Joshua West, Ebenezer Backus and Eleazer Fitch, Esq^{rs}, were afterwards, *viz:* in May last, to which time said petition was continued, appointed a committee to exam- [20] ine into said matters and make || their report thereof: and whereas, upon a representation made to this Assembly in October last that by reason of certain disappointments said committee had not been able to execute their said trust, and praying to have the same committee reappointed and to make their report at farthest to this Assembly: and whereas the committee have not been able to make their said report: It is now resolved by this Assembly upon a motion for a new appointment of commissioners in the case aforesaid, that the said Joshua West, Ebenezer Backus and Eleazer Fitch be and

they are hereby appointed a committee with full power to notify the parties, examine into the said matters of complaint, and to make report to this Assembly in October next of what they shall find in the premises.

On the memorial of John Hall the second, and others, inhabitants in the first society in Wallingford who do not adhere to the Reverend Mr. James Dana as minister of said society, shewing that various matters of difficulty have for several years subsisted between the memorialists and the rest of the members of said society who do adhere to said Mr. Dana &c ; praying that all those inhabitants within the limits of said first society in Wallingford who do not adhere to the said Mr. James Dana as their minister be made a distinct ecclesiastical society, and that the public interest of said first society be divided &c. ; and that a committee be appointed to inquire into the said public interest and thereof make report to this Assembly with their opinion how the same may be disposed or divided ; and also that redress may be given them concerning taxes complained of in said memorial,

It is resolved by this Assembly, That the memorialists, with all such inhabitants in said first society who join and attend public worship and adhere to them, be and they are hereby made, erected and constituted a distinct ecclesiastical society, with all such powers, authorities and priviledges as other ecclesiastical societies in this government are vested with, and shall succeed as such, and shall be called, known and distinguished by the name of *Wills*, and the new meeting-house in use by the memorialists be established for their meeting for divine worship ; and any of the inhabitants who adhere either to the said Mr. Dana or to the memorialists have liberty to choose which of said societies he or they would belong and join to : provided he or they make choice and declaration thereof by entering their name or names with the town-clerk of said town of Wallingford within four months after the rising of this Assembly. And all such who come from other places to settle and inhabit within the limits of said societies shall have liberty to join to which they please, and in case of non-election for twelve months they shall belong *viz :* one to the first society and the next to the said new society, and so alternately according as they successively come and settle as aforesaid, without making such election. And all that shall hereafter arrive to the age twenty-one years, within twelve months after coming to age shall make choice which they will belong to, otherwise to continue where brought up or where they belonged before.

Provided nevertheless, and it is hereby resolved, That the inhabitants belonging to both said societies be and remain one society as they now are in all matters relating to schools, and take benefit accordingly of the money given or that may be given for the support of a school or schools within their limits, and are hereby authorized and impowered to meet, vote and act together for the support, well ordering and management of a school or schools within the said society. And that the value of the old meeting-house in, and all the rest of the temporal interest belonging to said first society, be divided and distributed to and between the memorialists and the adherents to Mr. Dana according to their list; and that Jonathan Trumble, Esq^{r}, of Lebanon, Jabez Hamlin, Esq^{r}, of Midletown, and Capt. John Lawrence of Hartford, be a committee to enquire of the state and value of said old meeting-house, and what in equity said society of Wells ought to have therefor, estimating such part according to the advantage thereof to said Dana's adherents, and also what other temporal interest belongs to said first society, and also enquire into the grievances complained of concerning the taxes referred to in said memorial, and make report of their opinion on the whole to the General Assembly in October next.

Upon the petition of John Pierpont, of New Haven in the county of New Haven, against Elisha Whittlesey of said New Haven, representing and complaining to this Assembly that whereas he is brother and heir at law to Jacob Pierpont late of New Haven and now deceased, and that said Jacob from the time of his nativity until the time of his death was reputed and known to be a person of weak understanding and incapable of transacting business, and that he was naturally wanting of understanding and reason, so that he was liable to imposition and fraud, and that said Jacob on or about 9th of November, 1759, was seized and possessed in fee simple of a certain home-lot, mansion house and barn thereon lying on the northeasterly side the market, so called, in said New Haven, and that said home-lot was in quantity about two acres and a half, and that from its situation and natural goodness and the convenience of the buildings it was well worth two hundred and eighty pounds; and also that the said Jacob was at the same time in like manner the owner of other tracts of land in said New Haven in and about the town-plat, which were well worth £126 0*s.* 0*d.*; and that said Elisha Whittlesey being well acquainted with the natural weakness of said Jacob's mind and understanding, and how easy it was to impose upon said Jacob, and being well acquainted with

the value of the aforesaid estate, and being minded to get the aforesaid estate of said Jacob at an under value, by collusive means, did take advantage of the incapacity and unskillful-
[21] ness || of said Jacob in bargaining, and did by collusive means procure of said Jacob, on or about the 9th day of November, A. D. 1759, a deed of sale of said home-lot, mansion-house and barn, executed and acknowledged in due form of law; and also at the same time, in the like unjust manner, did procure of said Jacob to sign a note of hand for the sum of £110 0*s*. 0*d*. lawful money, payable to said Whittlesey, for no other cause or consideration but only a tract of land in the township of New Milford in Litchfield county, being the 35th lot in the south tier, commonly called the north purchase, which is said to be worth no more than £120, and that said Whittlesey by his deed well executed and dated on or about the said 9th day of November, 1759, conveyed and made over said 35th lot to said Jacob; and that said Whittlesey in the life time of said Jacob brought his action on said note against said Jacob, and in January, 1762, obtained a judgment thereon against said Jacob before the adjourned county court held at New Haven within and for the county of New Haven for said sum of £110 0*s*. 0*d*. with the interest thereof and his cost, amounting in the whole to the sum of £123 7*s*. 9*d*., and that soon, *viz:* on the 25th of January aforesaid, said Whittlesey took out execution in due form of law upon said judgment against said Jacob then being in full life, and caused the same to be levied on said other tracts of land of said Jacob, and by return of the officer who served the same hath got said land entered of record to said Whittlesey; and that by means of the incapacity of said Jacob for business and the wrong doings of said Whittlesey, the said deceased Jacob was wronged out of his said estate, being by far the greatest and most valuable part of his paternal estate descended to him from his ancestors, and that he had only a very small and inadequate satisfaction therefor: thereupon praying this Assembly to disannul the bargains and contracts aforesaid, and order and enact that said deeds obtained by said Whittlesey of said Jacob and said Whittlesey's deed made to said Jacob, may be declared to be null and void, and of no force for holding the lands therein mentioned; and that said execution with the doings of the officer thereon in levying the same upon said Jacob's lands may be declared null and void; and that said deed and execution may not be permitted to be given in evidence in any court in this Colony; as by the petition on file may appear: Resolved by this Assembly, that

the bargains and contracts be and they are hereby declared to be null and void. And it is ordered, enacted and declared by this Assembly, that the said deed made and executed by said Jacob to said Whittlesey of said home-lot, mansion-house and barn, and also said deed made and executed as aforesaid by said Whittlesey to said Jacob of said 35th lot, and the execution obtained as aforesaid by said Whittlesey against said Jacob, and all the doings of the officer who levyed the same on the other lands of said Jacob be, and they are hereby declared to be, null and void; and that neither of said deeds or execution shall henceforth be of any strength or have any force for the holding the lands therein and thereupon mentioned, and that they or either of them shall ever be permitted to be given in evidence in any court whatever in this Colony to support any title to any of the lands mentioned in either of said deeds or said execution; and that all the aforesaid lands shall be and remain in the same state and conditions, to all intents and purposes, as by law they were before the making and executing the aforesaid deeds and the obtaining the aforesaid judgment and execution thereon, as they might or would have been in course and descent in law immediately upon and after the death of said now deceased Jacob.

Upon the memorial of Timothy Andruss of Weathersfield, representing to this Assembly that in the year 1755, he inlisted into the service of this Colony as a soldier in the expedition against Crown Point, and proceeded therein as far as Albany, where he was seized with a violent, malignant fever, which so affected his nerves that he was returned home sick and hath ever since languished in a paralytic state, unable to provide for himself or family, and is in most distressing circumstances; praying for relief &c., as per memorial on file appears: Resolved by this Assembly, that the memorialist shall receive, and there is hereby granted to him, the sum of twenty pounds out of the public treasury of this Colony, which the Treasurer is hereby directed to pay him accordingly on his producing to him a copy of this act.

Upon the memorial of Joseph Gleason, administrator on the estate of Jonah Gleason late of Endfield in the district of Hartford, deceased, shewing to this Assembly that the debts due from said estate with some allowance to the widow surmount the moveable estate of said deceased the sum of £18 17*s.* 8*d.*, for the payment of which praying this Assembly to impower him to make sale of so much of said estate as shall be sufficient to pay said sum with the charge of such sale, as per

memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is granted unto him, to make sale of so much of said estate as shall be sufficient to pay said sum of £18 7 8, together with the incident charges of such sale; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Daniel Hooker and Sarah Hooker, administrators of the estate of Doct. Daniel Hooker late of Hartford, deceased, shewing to this Assembly that the debts, charges &c. due from the said estate surmount the moveable estate of the said deceased the sum of £584 11*s*. 7*d*. 3*q*., therein praying for liberty to sell so much of the real estate of the said deceased as will discharge the said sum and charges arising thereon: [22] || Resolved by this Assembly, that the said administrators have liberty and are hereby impowered, to sell and dispose of so much of the real estate of the said deceased as will discharge the said sum of £584 11*s*. 7*d*. 3*q*. together with the incident charges arising on the sale thereof; taking the directions of the court of probate in the district of Hartford therein.

On the memorial of Phillip Smith of Windsor, administrator on the estate of Thomas Worden of Windsor, shewing to this Assembly that the debts &c. due from the estate of the deceased surmount the personal estate the sum of £40 6*s*. 10*d*., L. money; praying for liberty to make sale of so much of real estate of said deceased as shall raise said sum with the incident charges; as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty to him is hereby granted, to make sale of so much of said real estate as shall raise said sum with the charges of sale; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Lois Belding, administratrix on the estate of Mr. Joseph Belding late of Weathersfield, deceased, representing to this Assembly that the debts and charges due from the estate of the said deceased surmount the moveable estate of the said deceased the sum of £551 14*s*. 2*d*. lawful [money], as certified by the clerk of the court of probate for the district of Hartford: praying this Assembly that so much of the real estate of the said deceased be sold as will raise said sum of £551 14 2 with the incident charges arising thereon: Resolved by this Assembly, that the said memorialist and Jonathan Belding, Esq^r, they be impowered and directed to make sale of so much of the real estate of said deceased as will raise said sum of £551 14 2 with the incident charges

arising on such sale; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of the inhabitants of the town of Hartland in the county of Litchfield, representing that at a town meeting warned and held in said Hartland on the first Monday of December last, they proceeded to the choice of a moderator, a clerk and other town officers; that afterwards objections by a party of said inhabitants were made to the legability of said meeting and officers chosen therein, and the said objectors procured the warning of another town-meeting, which was held at said Hartland on the 21st day of the same December, when and where they proceeded and made choice of another set of town officers, all which officers chosen first and last were sworn as the law directs, by means whereof confusion and discord hath happened and the affairs of said town are perplexed &c.; praying that all the doings of said inhabitants in both of said meetings may be annulled and made void &c.: Resolved by this Assembly, and it is hereby decreed, that all the votes and doings pretended to be passed and recorded as the acts of the said town at either of said meetings shall be and they are hereby declared null and void. And William Wolcott, Esq^{r}, of Windsor, is hereby appointed and fully impowered, to warn a meeting of all the inhabitants of said town to be attended at the house of Thomas Gidings in said town, at such time as said Wolcott shall appoint, at which time and place he is to lead the inhabitants in said meeting who by law have a right to vote to the choice of a town-clerk and such other town officers as are needful and by law required, and to such other votes as may be proper and necessary for the ordering the affairs and business of said inhabitants.

Upon the memorial of Nathan Messenger, administrator upon the estate of Jonathan Eli late of Windsor, deceased, shewing unto this Assembly that the debts and charges on the estate of said deceased allowed by the court of probate for the district of Hartford surmount the moveable estate of the said deceased the sum of £40 15*s*. 2*d*. 3*q*.; praying for liberty to sell so much of the real estate of the said deceased as will raise said sum with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist have, and liberty to him is hereby granted, to sell so much of the real estate of the deceased as to make said sum with the incident charges arising thereupon; taking direction of said court of probate therein.

Upon the memorial of Thomas Johnson of Middletown, executor of the last will and testament of Thomas Johnson,

Esq^{r}, of Midletown, deceased, representing that the debts due from said estate are the amount of £110 15 9 lawful money more than the moveables; praying for liberty to sell land &c.: Resolved by this Assembly, that the memoralist have liberty, and liberty and authority is hereby granted him, to make sale of so much of the real estate of said deceased as will procure the aforesaid sum of £110 15 9 L. M. with incident charges; taking advice of the court of probate for the district of Midletown therein.

Upon the memorial of Josiah Olcott, Andrew McKey, Noah Rust, Nathaniel Olcott and others, subscribers thereunto, inhabitants of a place called the Five Miles on the east side the great river in Hartford, in the east society in said town, rep- [23] resenting to this Assembly || that the memorialists live some five and some eleven miles from the meeting-house built in said society; praying this Assembly that they may have power and authority to tax themselves to procure preaching seven months in the year &c.; as per memorial on file &c.: Resolved by this Assembly, that the memorialists and all living within the limits of said Five Miles have liberty, and liberty is hereby granted to them, to procure preaching of the gospel among themselves seven months in the year annually, with power and priviledges to tax themselves for raising money for support of the preaching of the gospel for the term aforesaid in the same manner, and to that end to choose all officers as other societies in said Colony are by law enabled, and shall be exempted from the payment of any taxes for supporting the ministry in said east society: provided they procure such preaching said seven months.

Upon the memorial of John Stephens, of Glastonbury in the county of Hartford, shewing that he was a soldier in the army against Canada in the year 1760, in the troops raised in this Colony, and in the company of Capt. Samuel Gaylord, and with a warrant for serjeant in said company under the hand of Col. Phineas Lyman, and as such proceeded with said army to Montreal, faithfully doing the duty of such his office, and had his wages allowed in the pay-roll of said company; that said Capt. Gaylord as pay-master of said company received the wages of said company but has failed in his circumstances respecting estate, so that the said John Stephens has never been able to procure any part of his said wages; praying for relief &c.: Resolved by this Assembly, that the Committee of the Pay-Table for this Colony be impowered, and they are hereby authorized and fully impowered, to notify the said Capt. Gaylord to attend at such time and place as said committee shall

appoint, to adjust the said matter of the said memorialist's wages aforesaid, and on finding the circumstances of said Capt. Gaylord to be such as aforesaid, to draw on the Treasurer of this Colony in favour of said John Stephens for his said wages, or such part thereof as shall appear to remain and be behind.

Upon the memorial of John Diggens and Russel Kilborn, administrators *de bonis non* on the estate of Thomas Kilborn late of Midletown, deceased, shewing to this Assembly that since liberty granted by your Honors at your sessions in May, A. D. 1762, to sell lands of said deceased to pay the debts of said deceased a further account of debts has been brought in against said estate, which have been examined and allowed by the court of probate for the district of Midletown, and amounts to the sum of £54 18 8; thereupon praying for liberty to sell lands &c.: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist to sell so much of the real estate of said deceased as will procure the aforesaid sum of £54 18 8 money, together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Midletown therein.

Upon the memorial of the parish or society of West Symsbury in the town of Symsbury, representing that they had settled a minister, had affixed a place for a meeting-house in said society, and had proceeded and procured materials for building &c.; praying relief by a land tax &c.: Resolved by this Assembly, that a rate or tax of one penny lawful money per acre shall be assessed and raised on all the lands within the limits of said parish or society annually for the space of three years, to commence from the rising of this Assembly, to [be] improved for and toward the building a meeting house for divine worship in said society.

Upon the memorial of Robert Lane, shewing that he, the said Robert, listed himself to serve in the campaign in the year 1761, under the command of Capt. Giles Wolcott, and that during the said campaign he was exposed to great hardships, by reason of which he lost his eye-sight in great measure, and that he has encouragement that his sight might be recovered if proper means were used, and that he has no means whereby to procure any relief for himself in the case, and praying relief of this Assembly, as per memorial on file: Whereupon this Assembly grants that there shall be drawn out of the Colony treasury by Colo. Samuel Talcott a sum not exceeding twelve pounds, to be improved for the recovery of the eye-sight of the memorialist at the discretion of the said Talcott.

Upon the memorial of Worthy Waters and Ruth Brown, administrators on estate of John Brown late of Hebron, deceased, representing to this Assembly that the debts due from the estate of said deceased and charges allowed, with some allowance made to the relict of said deceased for the support of the family of said deceased, over and above what real estate of said deceased hath been already sold, surmount the moveable estate of said deceased the sum of £8 6 0 L. money, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the said Worthy Waters and Ruth Brown have liberty to sell so much of said deceased's real estate as will raise said sum with the incident charges arising thereon; taking the direction of the court of probate in East Haddam district therein.

[24] Upon the memorial of Samuel Thompson, administrator on the estate of Thomas Thompson late of New London, deceased, shewing that the debts and charges on said deceased's estate amount to £61 11 2 L. money, and surmount the personal estate of said deceased the sum of £30 12 9; praying liberty to sell so much of the real estate of said deceased as shall pay said sum of £30 12 9 with the necessary charge arising on said sale: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted unto the said Samuel Thompson, to sell so much of the real estate of the said Thomas Thompson, deceased, as shall raise said sum of £30 12 9 with the necessary charge arising on such sale; taking the advice and direction of the court of probate in the district of New London in said sale.

Upon the memorial of Nathaniel Hewitt, administrator on the estate of Joseph Turner late of Stonington, deceased, (with the will annexed,) shewing that the debts and charges on said estate allowed by the court of probate amounted to £76 2 4, and surmount the personal estate of said deceased the sum of £60 10 4, and no provision made in said will to discharge said debt; praying liberty to sell so much of the real estate of said deceased as shall be sufficient to pay and discharge the same &c.: Resolved by this Assembly, that liberty be, and liberty is hereby granted to said memorialist, to sell so much of the real estate of said deceased as will raise said sum of £60 10 4 with the incident charge arising on said sale; taking the advice of the court of probate therein.

Upon the memorial of Benjamin Tucker, of Pomfret in Windham, son and one of the heirs of Mr. Joseph Tucker late of said Pomfret and now deceased, Josiah Cummins of Kil-

lingly in said county, father and natural guardian to Ann Cummins and Lucy Cummins, minors and children of Ann Cummins, deceased, Benjamin Fasset jun., guardian to the person and estate of Ephraim Tucker, minor, of the town of Pomfret, Joseph Lawrence and Mary Lawrence his wife, of Killingly, all in said county of Windham, the surviving children and heirs of said Joseph Tucker, deceased, and Samuel Sumner and Gershom Sharp, both of said Pomfret, executors of the last will and testament of said deceased Joseph Tucker, representing to this Assembly that said deceased Joseph in his life time, on the 30th of July, 1753, made and executed his last will and testament in the words following, *viz:*

In the name of God, amen, the 30th of July, 1753, and in the 27th year of his Majesty's reign, I, Joseph Tucker, of Pomfret in the county of Windham and Colony of Connecticut in New England, yeoman, being very sick and weak in body but of sound mind and memory, thanks be to God therefor, calling unto mind the mortality of my body and knowing it is appointed unto all men once to die, do make and ordain this my last will and testament: that is to say, principally and first of all I give and recommend my soul into the hands of God that gave it, and my body I recommend to be buried in decent and christian burial at the discretion of my executors, nothing doubting but that at the general resurrection I shall receive the same again by the mighty power of God. And touching such worldly estate as it has pleased God to bless me with in this life, I give, demise and dispose of the same in the following manner and form, after my just debts and funeral charges are paid.

Imprimis, I give and bequeath to my dearly beloved wife Mary, the use and improvement of the west end of my now dwelling-house in Pomfret, to her sole use and benefit during her natural life. Also I give her, my said wife, the whole use and profit of all my lands and live-stock to be improved and managed for her at the discretion of my executors, and at her death to be decently buried at the charge of my estate at the discretion of my executors. Also I give to my said wife the use and improvement of all my household goods, or so much of them as she shall need for her comfort during her natural life.

Item, I give to my son Benjamin Tucker, or his heirs, all my wearing apparrel, excepting my best hat. Also I give to my said son Benjamin one pair of oxen, if any be left at the decease of my wife. Also I give to him, my said son Benjamin, my cart and wheels and seed plow, one chain, horse tackling, beetle and wedges.

Item, I give to my son Joshua Tucker or his heirs twenty shillings in bills of credit old tenor, to be paid to him at the decease of my wife by my executors. And the reason why I give my son Joshua no more is because I have heretofore given him his full portion out of my estate.

Item, I give my two grandchildren, the children of my daughter Ann Cummins, deceased, five hundred pounds in old tenor bills of credit or silver money equal thereto at three pounds five shillings per ounce, to be paid to them in one year after the decease of my wife by my executors; and if either of the said children shall die before she has received her legacy, the surviving child to have the whole. And my will is that the said five hundred pounds aforesaid be let or put to use by my executors to and for the benefit of my said grandchildren till they shall come of age or be married, and then to receive the same.

Item, I give my grandson Ephraim Tucker, the son of my son Joseph Tucker deceased, my gun and sword and best hat.

Item, I give my son in law Joseph Lawrence one large plow, one chain and one iron bar; and my will is that my daughter Mary Lawrence, wife of Joseph Lawrence of Killingly, and my grandson Ephraim Tucker aforesaid shall have my live-stock of all sorts, horses, cattle, sheep, or swine, and to be equally divided between them the said Mary Lawrence and Ephraim Tucker after the decease of my said wife. Also I give to my said daughter Mary Lawrence all my household goods within doors, excepting two of the best pewter platters, which I give to my two grandchildren aforesaid, the children of my daughter Ann Cummins, deceased. And my will is that all my land and buildings shall be sold by my executors after the decease of my wife, and that the money or price thereof after the five hundred pounds is paid as afore-
[25] said, equally divided among and || between my son Benjamin Tucker, or his heirs, and my daughter Mary Lawrence and my grandson Ephraim Tucker, or their heirs; and if either of them shall die before a division be made of said estate then my will is that the survivors shall have the whole. And I do hereby constitute, make and ordain Deacon Sumner and Mr. Gershom Sharp, both of Pomfret in the county of Windham, my sole executors to this my last will and testament. And I hereby utterly disallow, revoke and annul all other and former wills and testaments by me in any wise made or named, ratifying and confirming this and only this to be my last will and testament.

In witness whereof I have hereunto set my hand and seal

the day and year first above written. Signed, sealed, published, pronounced and declared by the said Joseph Tucker as his last will and testament in presence of us subscribers.
Robert Coats.
Oliver Cheeney. Joseph Tucker. { SEAL }
Elizabeth Saunders.

And that said Joseph Tucker soon after died, and that said will was by said executors exhibited to the court of probate in and for the district of Pomfret, and by said court proved, approved and recorded, and said executors accepted the trust therein reposed in them, and that said executors proceeded therewith according to law and the directions in said will given; and that soon after, to wit on or about the 5th day of January, 1755, the whole of the files and records of said court of probate was burnt and consumed by fire in and with the dwelling-house of Mr. Penuel Bowen, then clerk of said court of probate; and that before said files and records were burnt as aforesaid, said Gershom Sharp, one of said executors, took out a copy of said will said by said Gershom Sharp to be a true copy of said will, which has been since lodged in the files of said court and is the only evidence remaining of said will; thereupon praying this Assembly to order the whole of the estate of said deceased may be settled and disposed of and with according to the tenor of the will aforesaid, and that the aforesaid copy may be recorded in the records of said court of probate &c., as per memorial on file appears: Resolved by this Assembly, that the estate of the said Joseph Tucker may and shall be disposed of and dealt with according to the directions in said will given, and that the aforesaid copy shall and may be recorded in the records of said court of probate, and have the same force and effect in law as the original will might or could have had.

Upon the memorial of Lucy Giddings, administratrix on the estate of James Giddings, late of Norwich in New London county, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate in the district of Norwich against the estate of said deceased surmount the personal estate the sum of £13 6 3, and praying for liberty and authority to sell of the real estate of the said deceased sufficient to raise said sum and the incident charges arising on such sale: Resolved by this Assembly, that the said administratrix have liberty and authority, and it is hereby granted unto her, to sell so much of the real estate of the said deceased James Giddings as to raise the said sum of £13 6 3 and the necessary charges arising on such sale; she

taking the direction of the court of probate for the district of Norwich therein.

Upon the memorial of Ann Harriss of Plainfield, administratrix on the estate of Daniel Harriss late of Plainfield, deceased, shewing to this Assembly that the debts &c. due from the estate surmount the personal estate of the said deceased the sum of £61 15 9 L. money; praying for liberty to sell so much of the real estate of said deceased as will pay said sum with the charge of sale &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted and the said Ann Harriss with William Park of said Plainfield impowered to sell so much of the real estate of the said deceased Daniel Harriss as shall be sufficient to pay the said sum of £61 15 9 lawful money with the necessary charges of sale; taking the advise and direction of the court of probate for the district of Plainfield therein.

Upon the memorial of Jonas Marsh, one of the executors of the last will and testament of Jonathan Fellows, late of Canaan in the district of Sharon, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £24 12*s*. 7*d*. 2*q*. lawful money, and that the Hon^ble^ General Assembly two years ago appointed and impowered Mr. Isaac Lawrence of said Canaan to sell so much of the lands of said deceased as to procure said sum &c., which he has neglected and still neglects to do, and that said debts still remain unpaid, and praying that the memorialist, or some other meet person, may be appointed to sell so much of the lands of said deceased as to procure said sum of £24 12 7½ lawful money with incident charges, as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, in the room of the said Isaac Lawrence, to sell so much of the lands of the said Jonathan Fellows, deceased, as to procure the sum of £24 12 7½ lawful money with incident charges; taking direction of the court of probate for the district of Sharon therein.

[26] On the memorial of Ann Markham, administratrix on the estate of Israel Markham late of Endfield in the district of Hartford, deceased, praying for liberty to make sale of so much of the real estate of the said deceased as will raise the sum of £129 9 10 lawful money, for the payment of debts &c., as per memorial on file: Resolved by this Assembly, that the memorialist and Mr. Edward Collins of said Endfield have liberty, and it is hereby granted that the said me-

morialist and the said Edward Collins be impowered to sell so much of the real estate of the said deceased as will raise said sum of £129 9 10 lawful money with incident charge of sale; taking the advice of the court of probate for the district of Hartford therein, for the payment of said debts and charge.

Upon the memorial of James Bird of Salisbury, administrator upon the estate of Nathaniel Bird late of said Salisbury, deceased, shewing that the debts due from the estate of said deceased surmount the moveable part thereof the sum of £184 12 10 2 lawful money, praying for liberty to sell so much of the lands of the said deceased as to procure said sum with incident charges; as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the lands of the said Nathaniel Bird, deceased, as to procure the said sum of £184 12 10½ lawful money with incident charges; taking the direction of the court of probate for the district of Sharon therein.

Whereas on the memorial of Samuel Eastman of Ashford to this Assembly at their sessions at New Haven at October last, representing that in the report of a former committee, *viz:* Zebulon West &c., who were appointed to settle the line between Stafford and Union according to Farrar's run &c., was a mistake; praying for another committee: whereupon this Assembly at their sessions aforesaid appointed Shubael Conant, Jabez Fitch, Esq^rs, and Colonel William Pitkin a committee, to repair to said place, hear the parties, consider and determine with respect to said line &c., and their report thereon make to this Assembly, which said last-mentioned committee, by reason of sickness and indisposition of one of them, have not been able to accomplish said affair: Thereupon this Assembly do reappoint said committee for the purpose aforesaid, to proceed according to the act aforesaid, and their report make to this Assembly at their session at New Haven in October next.

Upon the memorial of Joshua Moore, executor to the last will and testament of Joshua Moor late of New London, deceased, shewing that the debts and charges on said estate allowed by the court of probate with a list of debts still due amount to £109 15 5 and surmount the personal estate of said deceased the sum of £31 1 5, and no provision made in said will to discharge the same; praying liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charge arising on such sale

&c.: Resolved by this Assembly, that liberty [be] and liberty is hereby granted to said executor, to sell so much of the real estate of said deceased as shall raise said sum of £31 1 5 with the incident charge arising on said sale; taking the advice and direction of the court [of] probate for the district of New London in said sale.

Upon the memorial of Hiell Buel, administrator of the estate of John Marbil late of Killingworth, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of said deceased the sum of £22 10 0, and praying for liberty to sell so much of the real estate of said deceased as to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and he is hereby fully impowered, to sell so much of the real estate of said deceased as may be sufficient to raise said sum with incident charges arising on such sale; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of William Adams of New London, guardian to Eliphalet Bulkley son to John Bulkley late of Colchester, Esq^{r}, now deceased, representing that it was the purpose of the said John Bulkley in his lifetime to have given his said son the best education the country could afford, but deceased immediately before such education or any special provision therefor was had or made, and that said Eliphalet's estate being abundantly more than sufficient to afford such education, and that it all lies in lands mostly unimproved and some part of it in small pieces separate from the rest, which might be sold and the avail thereof laid out for the said Eliphalet's college education, much for his interest and benefit; praying liberty to sell so much of said lands as would be sufficient for giving him a liberal education, he being now in his first year at Yale College: Resolved by this Assembly, that the said William Adams have liberty, and liberty and authority is hereby given him, to sell so much of the lands and real estate of said Eliphalet Bulkley as the avails thereof will be sufficient to satisfy for giving him a college education until he shall or might have taken his first degree; taking the advice of the court of probate for the district of East Haddam.

[27] Upon the memorial of Ichabod Wheeler of Fairfield, captain of the first military company in the first society in Fairfield, representing to this Assembly that said company is so small that there is scarce soldiers enough included therein to perform military exercise &c.; praying that the limits of said company may be enlarged &c., as per memorial on file:

Resolved by this Assembly, that the limits of said first company shall be extended so far westerly as to the highway that leads from the mouth of the beach to the meeting-house in said society; thence running up by the house of Ephraim Burr; thence to the west side of the round hill; thence running by the dwelling-house [of] Ezekiel Hull to the Mill River, and that said highway shall be the dividing line between said company and the second military company in said society, and that the inhabitants living between said highway and the highway that leads from the gate near the dwelling-house of Daniel Jennings jun., and from thence running to the two mile rock, and thence to the Mill River, being the former westerly boundary or limit of the first company, shall be annexed to and included within the limits of said first company and be under like regulations.

Upon the memorial of Lucy Newel, administratrix of the estate of Loftus Newel late of Killingsworth, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of said deceased the sum of £25 16 0, and praying for liberty to sell so much of the real estate of said deceased as to raise said sum &c.; as per memorial on file: Resolved by this Assembly, that the memorialist with Dan Kelsey have liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum with incident charges arising on such sale; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of Alexander Phelps, agent for the first society in the town of Hebron, shewing to this Assembly that in the distribution of the bonds given for the sale of the township of Norfolk, the committee distributed and set to the town of Hebron a bond given to the Governor and Company of this Colony by Joseph Phelps and Joseph Phelps jun., due thereon when divided £170 4 6, and set by said committee £98 4 0 to Hebron, £54 16 4 to Tolland, £9 9 0 to Wellington, and £7 15 2 to the town of Stafford, and that said Joseph the elder being deceased said Joseph the younger being sued and judgment given against him, and he not having any goods or chattels the execution is levied on the land of the said Joseph and apprized and set off to the said Governor and Company; praying that some suitable person may be appointed to sell the land taken by execution and pass a deed thereof, and the money received therefor to pay to the committee of the schools of the town of Hebron, to be paid out to the other towns according to said proportion set out by the committee: Resolved by this Assembly, that John Phelps and Alexander Phelps, of said

Hebron, be a committee, and they are hereby appointed a committee with full power, to sell and convey the land taken on said execution and pay the money to the committee of the schools in Hebron, to be paid out according to distribution of the committee appointed to distribute said bonds, to be improved for the benefit of the schools agreeable to the act of this Colony relative thereto.

Upon the memorial of Joseph Bushnel, John King, Jonathan French, David Longbottom and James Longbottom jun., all of Norwich, living within the limits of the society of Hanover, shewing to this Assembly that in the grant of Assembly constituting said society of Hanover the said memorialists were excluded and left to remain to the society of Newent in said Norwich, that their situation is such as renders it extremely inconvenient for them to continue to belong to said Newent society, and praying to be annexed to said Hanover &c., as per memorial on file: Resolved by this Assembly, that said Joseph Bushnal, John King, Jonathan French, David Longbottom and James Longbottom jun., with their estates, be and they are hereby excluded from said Newent and annexed to said Hanover society, to be and belong to said Hanover society, to enjoy the same liberties, powers and privileges in common with other inhabitants of said Hanover society, as by law they said inhabitants have right to, and also be subjected to the same duties &c. as the other inhabitants of said Hanover society are by law.

Upon the memorial of Robert Cleland of New London, school-master to the Mohegan Indians, shewing to this Assembly that sundry of the parents of the Indian children belonging to his school aforesaid have died in the King's service, and others of them are under such needy circumstances that they are unable to provide dinners for such of their children as ought to attend, whereby the good ends proposed are liable to be injured &c.; praying that some small allowance might be paid out of the public treasury for that purpose &c., as per memorial on file: Resolved by this Assembly, that the sum of seven pounds in bill of this Colony [be paid] to said memorialist, to be applied to the use and purpose aforesaid, taking the advice and direction of the Rev^{d} Mr. David Jewit and Pygan Adams, Esq^{r}, therein; and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

Upon the memorial of Nathan Avery, executor to the last will and testament of Isaac Frink late of Stonington, deceased, shewing that the debts and charges on said estate amount

to £786 18 5, and surmount the personal estate of said de-
[28] ceased the sum of £73 2 9, and || no provision made in said [will] to discharge the same ; praying liberty to make sale of so much of the real estate of said deceased as shall enable him to raise and pay the aforesaid sum of £73 2 9 with the incident charges arising on said sale &c. : Resolved by this Assembly, that liberty be and liberty is hereby granted unto said memorialist, to sell so much of the real estate of said deceased as shall raise the aforesaid sum of £73 2 9 with the incident charge arising on said sale ; taking the advice of the court of probate therein.

Upon the memorial of Joseph Holland, executor to the last will and testament of Joseph Holland, Esq^r, late of New London, deceased, shewing that the debts and charges which are paid by said executor and allowed in the court probate with a list of debts which still remain unpaid amount to £802 8 10½, and surmount the personal estate of said deceased the sum of £584 0 7½, and no provision made in said will to discharge the same ; praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum of £584 0 7½ with the incident charge arising on said sale &c.: Resolved by this Assembly, that liberty be and liberty is hereby granted unto said executor, to sell so much of the real estate of said deceased as shall raise said sum of £584 0 7½ to discharge said debts with the necessary charge arising on said sale ; taking the advice of the court of probate therein.

Upon the memorial of Asa Manwaring, administrator on the estate of Richard Manwaring late of New London, deceased, shewing that the debts due from said deceased amount to £40 0 0, and that said deceased left no other estate than lands, and praying liberty to said memorialist to sell so much of the lands of said deceased as shall be sufficient to pay said sum of £40 0 0 with the incident charges arising on said sale &c. : Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the said Asa Manwaring, to sell so much of the real estate of the said deceased Richard Manwaring as shall raise said sum of £40 0 0 with the incident charge arising on said sale ; taking the advice of the court of probate for the district of New London in said sale.

Upon the memorial of Abraham Thompson, of Stratford in the county of Fairfield, conservator of the person and estate of his father Thompson of said Stratford, shewing to this Assembly that in his said office and trust as conservator he hath expended the sum of £28 12 5½, praying for liberty to have so much of the lands of the said Thomas sold as the

avails thereof may answer said sum: Resolved by this Assembly, that there be so much of the lands of the said Thomas sold as will be sufficient to defray and pay said sum of £28 12 5½ with the incident charges, and that Agur Tomlinson, Esq^r, and Isaiah Brown of said Stratford are hereby authorized, by public vendue or otherwise as shall be thought best, to make sale of so much land and make deed or deeds accordingly, and that the avails of such sale be used to the satisfying said expences.

Upon the memorial of William Maning and Mary Maning, administrators on the estate of Asa Payson late of Woodstock in the county of Windham, deceased, representing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate of the said deceased the sum of £42 4 10½ lawful money; thereupon praying for liberty to sell land &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of the said Asa Payson, deceased, as shall be sufficient to raise said sum of £42 4 10½ lawful money and the incident charges arising on such sale; taking the direction of the court of probate in the district of Pomfret therein.

Upon the memorial of Benjamin Henman, one of the inhabitants of Southberry in the town of Woodbury in the county of Litchfield, and the rest of the inhabitants of said parish, representing that in November, 1760, said inhabitants voted to build a meeting-house in said parish for public worship, and that in April, 1761, they applied to the county court held at said Litchfield for the county of Litchfield, to appoint a committee to ascertain and affix a stake for the building of said house, which was accordingly done by said court; that said committee afterwards did affix said stake at a place called the Pine Tree, and made return of their doings to said court in September term 1761, which said doings of said committee were by said court rejected and set aside, and a new committee appointed for the same purpose; that said last committee proceeded and affixed said stake at a place called Crook Horn Brook, in the highway, which doings of said last committee were by said county court held at said Litchfield by adjournment on the 2d Tuesday of January, 1762, accepted and approved; that since the affixing of said last stake new roads have been opened from the eastern and western parts of said parish, and many other things have intervened, which renders the said last place affixed by said committee very inconvenient for the building of said meeting-house and gives great dissat-

isfaction to said inhabitants, and praying that the doings of said last committee in affixing said place, and of said county [29] court in accepting the same, ‖ may be set aside, and that another committee may be appointed to view, hear, and affix such place as will be most for the convenience and quiet of said society, and make report &c.: It is therefore resolved by this Assembly, that the doings of said county court in January, 1762, be wholly reversed and set aside, and that Jabez Hamlin, William Wolcott and William Pitkin jun., Esq[rs], be a committee to view the circumstances of said parish, to hear all parties, and to affix such place for the building of said house as will be convenient for said society, and to make report of their doings herein to the session of this Assembly in October next.

Upon the memorial of Nathan Tibbals, Stephen Starkweather, William Wedge, Jedediah Durkee, William Guthrie and Ephraim Guthrie, all of the society of East Greenwich in the town of Kent, representing the difficulty of attending public worship in said society, and praying to be annexed to the society of New Preston, where they can more conveniently attend &c.: Resolved by this Assembly, that the memorialists and the lands within said parish of East Greenwich south of the following line, *viz:* beginning at the bridge over Shepaug River in the road from New Milford to Litchfield, from thence a straight line to the southeast corner of Philip Strong's lot he now lives on, thence a straight line to the southeast corner of the lot Joseph Beamond now lives, thence following the south line of said lot to the West Pond, so called, [be] and the same is hereby annexed to the said society of New Preston.

Upon the memorial of Samuel Roberts jun., administrator on the estate of John Morley of Glassenbury in the county of Hartford, deceased, shewing that the debts and charges due from the estate of said deceased, including some small necessaries set out to the widow, surmount the moveable estate of said deceased the sum of £83 4 9¾ lawful money; moving to this Assembly for liberty to sell so much of the real estate of said deceased as will raise said sum: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist, to sell of the real estate of said deceased to raise the sum of £83 4 9¾ with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of James Payne, administrator on the estate of John Payne late of New Haven, deceased, representing that the debts and charges due from said estate sur-

mount the moveable part of said estate the sum of £17 7 6; praying for liberty to sell so much of the real estate of said deceased as shall raise said sum together with the charge of such sale; as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of said real estate as to pay said sum together with the charge of such sale; taking the direction of the court of probate for the district of New Haven therein.

On the memorial of Joel Phelps, of Norfolk in Litchfield county, shewing to this Assembly that sometime in June, 1761, his dwelling-house took fire and was consumed to ashes, and that in said house he had one ten-shilling bill of one of the emissions of this Colony which was consumed, of what emission he has forgot, as per memorial on file &c.; praying this Assembly to order the Treasurer of this Colony to pay to him said sum with the interest &c.: Resolved by this Assembly, that the Treasurer aforesaid be ordered, and he is hereby ordered, to pay to the said Joel Phelps out of the treasury aforesaid the sum of 10*s.* in the emission of this Colony in the year A.D. 1761.

Upon the memorial of Jemima Mix, administrator on the estate of Jabez Mix late of New Haven, deceased, representing that the debts and charge, with some allowance to the widow, surmount the moveable estate of said deceased the sum of £19 16 10, L. money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum together with the charge of such sale; as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto her, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Jonathan Osborn, administrator on the estate of William Maltbie late of Wallingford, deceased, representing to this Assembly that the debts and charge due from the estate of said deceased surmount the moveable estate the sum of £34 4 1, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of such sale, as by the memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and [30] ‖ authority is hereby granted unto him, to make sale of so much of said estate as shall be sufficient to pay said sum to-

gether with the charge of such sale; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Joseph Hopkins, of Waterbury in the county of New Haven, justice of peace for said county, representing that on the 25th day of May last, Timothy Upson of Farmington delivered up to him a forty-shilling bill of credit of this Colony emitted March the 4th, 1762, altered in the date to 1760, and hoping to have found out the person making such alteration endeavoured after the same unsuccessfully till he had expended in labour and expences to the amount of £4 14 8, and that the bill is in his hand ready to be delivered up; praying for relief, as by memorial on file: Resolved by this Assembly, that said Joseph Hopkins have out of the Colony treasury the sum of £4 14 8 money, for said expences, and also the value of said bill of forty shillings with the proper interest thereon; and the Treasurer is hereby required to pay the same accordingly, upon delivery of said bill to him, the Treasurer.

Upon the memorial of Thomas Morley, executor to the last will and testament of Elihu Wright late of Glastonbury, deceased, shewing that the debts and charges due from the estate of said deceased, including some small necessaries set out to the widow, surmounts the moveable estate of said deceased the sum of £19 19 5½ lawful money; moving to this Assembly to sell so much of the real estate of the said deceased as will raise said sum: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist, to sell of the real estate of said deceased to raise the sum of £19 19 5½ of said estate, with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Ebenezer Benham of Waterbury, and Hannah Benham of New Haven, executors of the last will and testament of Ebenezer Benham late of New Haven, deceased, representing to this Assembly that the debts due from the estate of said deceased &c. surmount the moveable estate of said deceased the sum of £104 12 8½ lawful money, and that the deceased had not made provision for the payment thereof; as per memorial on file &c.: Resolved by this Assembly, that the said Ebenezer Benham have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum with the charge of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of the inhabitants of the first society in Waterbury, representing that this Assembly in October last, on a memorial then preferred by Joseph Adkins and others who prayed to be made a distinct ecclesiastical society within certain bounds and limits described in said memorial &c., lying partly in the town of Farmington and partly within said first society of Waterbury, and that thereon liberty was granted to the said Adkins and others within the limits aforesaid during the pleasure of this Assembly to hire preaching among themselves five months in every year and to be freed from paying taxes to other societies &c.; that within the aforesaid limits granted to said Adkins &c. are included all the inhabitants in the northeast quarter of said first society except two or three families, by which means their meeting-house is thrown from the center into an extream part of the society, and has a dangerous aspect tending to their destruction as a society; praying for relief &c.: Resolved by this Assembly, that (at the cost of the memorialists) Messrs. Daniel Lyman, Roger Sherman and Samuel Bishop jun., of New Haven, be and they are hereby appointed a committee to repair to and view the circumstances of the said first society of Waterbury, and also the situation and circumstances of all those living within the limits granted to said Joseph Adkins &c., and the lands in Farmington adjoining, and to hear all parties, and to make report of what limits they shall judge most for the peace and benefit of all concerned, with their opinion on the whole, to this Assembly at their sessions in October next.

Upon the memorial of Benjamin Bull of Milford, conservator of Sybil Bull of said Milford, shewing to this Assembly he hath expended the sum of £53 13 9¼ more than the rent of her estate, which is only in lands, amounts to, and that there is no personal estate belonging to said Sybil to satisfy the said sum of £53 13 9¼; praying that some meet person may be appointed and impowered to sell so much of the real estate of the said Sybil as shall amount to the sum aforesaid with the incident charges arising thereon, and to give and execute a deed or deeds therefor: Resolved by this Assembly, that the said Benjamin Bull have liberty and be impowered, and he is hereby impowered, to sell so much of the real estate of the said Sybil as shall make the sum of £53 13 9½ together with the incident charges arising thereon, as prayed for, and to give and execute any proper deed or deeds as shall be necessary herein.

[31] Upon the memorial of Abraham Davenport, John Holly,

Charles Webb and Samuel Bishop, selectmen of the town of Stamford in Fairfield county, shewing that Silas Slason of said Stamford for many years past hath been and now is distracted and *non compos mentis* and under the care of the selectmen of said town; that the selectmen of said town A.D. 1756, obtained liberty of the Assembly to sell a small parcel of land, which fell to him, said Silas, by the death of his brother Jonathan, which they sold and with the avails thereof supported the said Silas five years; that for two years past said Silas hath been maintained by his brother George Slason at the desire of the selectmen of said town, expecting a recompence from them; that the only estate said Silas hath is one fourth part of the real estate of Nathan Slason, a deceased brother of said Silas, which is worth not more than thirty or thirty-five pounds, and hath not been divided and cannot be improved to considerable advantage; and thereupon praying to be impowered to sell said real estate &c., as per memorial on file: Resolved by this Assembly, that the said memorialists have liberty and they are hereby impowered, to sell said real estate of said Silas and with the avails therefor to pay for the maintenance of the said Silas the two years past, and to improve the remainder for his future support.

Upon the memorial of Amos Green and Elizabeth Green, administrators on the estate of Abraham Cooper late of Killingly in the county of Windham, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £20 1 0 lawful money; thereupon praying liberty to sell land &c., as per memorial on file: Resolved by this Assembly, that the said Amos Green and Elizabeth Green have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to raise said sum of £20 1 0 lawful money, for the payment of said debts and the incident charges arising on such sale; taking the direction of the court of probates for the district of Pomfret therein.

Upon the memorial of Mary Wakefield, administratrix on the estate of Simeon Wakefield late of Killingly in the county of Windham, deceased, representing that the debts due from the estate of said deceased, with some necessaries to the widow, surmount the personal estate of said deceased the sum of £17 15 11½ lawful money; praying for liberty to sell lands &c., as per memorial on file: Resolved by this Assembly, that the said Mary Wakefield of Killingly have liberty and she is hereby impowered, to sell so much of the real

estate of the said Simon Wakefield, deceased, as shall be sufficient to raise said sum of £17 15 11¼, for the payment of said debts and the incident charges arising on such sale; taking the direction of the court of probate in the district of Pomfret therein.

On the memorial of Mabel Corbet, administratrix on the estate of John Corbet late of Farmington, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £16 5 2¼; thereupon praying for liberty to sell real estate &c.: Resolved, that the memorialist with the assistance of Deacon James Smith of said Farmington have liberty, and liberty is hereby granted them, to make sale of so much of the real estate of said deceased as will procure the aforesaid sum of £16 5 2¼ lawful money, together with the incident charges arising on such sale; taking the directions of the court of probate for the district of Hartford therein.

Upon the memorial of Mary Belding, administratrix on the estate of Charles Belding late of Stamford in Fairfield county, deceased, representing that the debts due from the estate of said deceased, with some necessaries allowed to the widow, surmount the personal estate of said deceased the sum of £468 3 1, L. money, and thereupon praying liberty to sell land &c., as per memorial on file: Resolved by this Assembly, that the said Mary Belding and John Belding of said Stamford have liberty, and they are hereby impowered, to sell so much of the real estate of said deceased as shall be sufficient to raise said sum, for the payment of said debts and the incident charges arising on such sale; taking the direction of the court of probate in the district of Stamford therein.

Upon the memorial of Sarah Pelton of Stamford in Fairfield county, administratrix on the estate of Robert Pelton late of Stamford, deceased, shewing to this Assembly that the debts &c. due from the estate of said deceased surmount the personal estate of said deceased the sum of £37 7 3½ lawful money, and thereupon praying to be impowered to sell so much of the real estate of said deceased as shall be sufficient to raise said sum &c., as per said memorial on file &c.: Resolved by this Assembly, that the said memorialist have liberty and she is hereby impowered, to sell so much of the real estate of said deceased as shall raise said sum of £37 7 3½ lawful money, and answer the charges arising on such sale; taking the direction of the court of probate for the district of Stamford therein.

Upon the memorial of Jemima Mead of Greenwich in Fairfield county, administratrix on the estate of James Mead late of said Greenwich, deceased, representing that the debts &c. due from said estate &c. surmount the personal estate of said deceased the sum of £46 5 2½ lawful money, and praying for liberty to be impowered to sell so much of the real estate of said deceased as shall be sufficient to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty and she is hereby impowered, to sell so much of the real estate of said deceased as to raise said sum and defray the incident charges arising on such sale; taking the direction of the court of probate in the district of Stamford therein.

[32] Upon the memorial of Thomas Stimson and Sarah Stimson, administrators on the estate of Amos Fullar late of Wellington, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £9 18 7, lawful money; praying for liberty to sell so much of the real estate of the said deceased as to raise said sum with the necessary incident charges arising on said sale: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of the said deceased as to raise the sum of £9 18 7, lawful money, for the payment of said debts, together with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Samuel Jarvis, of Stamford in Fairfield county, administrator on the estate of Samuel Scofield the 4th late of said Stamford, deceased, shewing to this Assembly that the debts &c. due from the estate of said deceased surmount the personal estate of said deceased the sum of £61 1 3, lawful money, and thereupon praying to be impowered to sell of the real estate of said deceased to raise said sum &c., as per said memorial on file: Resolved by this Assembly, that the said memorialist have liberty and he is hereby impowered, to sell of the real estate of said deceased to raise said sum for the payment of said debts, and also so much as shall be necessary to defray the charges arising on such sale; taking the direction of the court of probate for the district of Stamford therein.

Upon the memorial of Eunice Hibbard, administratrix on the estate of Mr. Seth Hibbard late of Killingly in the county of Windham, deceased, representing that the debts due from the estate of said deceased, with some necessaries allowed to

the widow, surmount the personal estate of the said deceased the sum of £17 10 6, lawful money, and thereupon praying for liberty to sell land &c., as per memorial on file: Resolved by this Assembly, that the said Eunice Hibbard have liberty and she is hereby impowered, to sell so much of the real estate of the said Seth Hibbard as shall be sufficient to raise said sum of seventeen pounds ten shillings and six pence, lawful money, and the incident charges arising on such sale; taking the direction of the court of probate in the district of Pomfret therein.

Upon the memorial of Submit Pierson, administratrix of the estate of Ephraim Pierson jun., late of Guilford in the county of New Haven, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of said deceased the sum of £29 13 4, and that the whole amounts to no more than £45 0 0, which consists of one quarter of an acre of land, and praying for liberty to sell the same &c., as per memorial on file: Resolved by this Assembly, that Mr. Isaac Stow of said Guilford have liberty and he is hereby fully impowered, to make sale of the whole of said real estate in order to pay the sum of £29 13 4 with incident charges arising on said sale, and the remainder, if any be, to be disposed of by direction of the court of probate as the estate of said deceased; taking the direction of the court of probate in the district of Guilford in the sale of said estate.

Upon the memorial of Nathaniel Humphry and Elihu Humphry, administrators on the estate of John Humphry, Esq^r, late of Symsbury, deceased, shewing that the debts and charges due from said estate, with necessaries set out to the widow of said deceased, surmount the moveable part of said estate the sum of £107 19 1, lawful money, for payment whereof [they] have no moveable estate in their hands to pay the same; praying for liberty to make sale of so much of the real estate of said deceased as will be sufficient to raise said sum of £107 19 1, lawful money, with incident charges thereon, as per memorial on file &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted to said memorialists, to make sale of so much of said real estate as shall be sufficient to raise said sum with incident charges arising thereon; taking the advice of the court of probate for the district of Hartford therein.

Whereas upon the memorial of Abigail Hubbel of Fairfield, widow of Capt. Samuel Hubbel late of Fairfield and now deceased, preferred to this Assembly at their sessions in Oc-

tober last at New Haven, then representing to this Assembly that her said husband was in the year 1760, a captain of a company raised by this Colony for his Majesty's service to the northward, and that he carried away with him above £100 0 0 of the monies which he received out of the Colony treasury, with design therewith to supply the soldiers of his company as they should happen to sicken and stand in need, and that she verily believes said monies to have been so expended, but that said Capt. Hubbel was taken with and died with the small-pox before his return, and that all his accounts were lost, and she is thereby disabled to find out who received those monies, and that the estate of said Hubbel is now indebted to this Colony for about £96 0 0 of said money there; praying that a committee might be appointed to enquire into the matters in said memorial alledged, as per memorial on file appears: whereupon it was then ordered and resolved by this Assembly, that Andrew Burr and David Rowland, Esq^rs, should be a committee to enquire into and examine the [33] matters || in said memorial alledged and their report of what they found to make with their opinion thereon to this present Assembly: and whereas it is represented to this present Assembly that said committee have not yet been able fully to enquire into and their report to form of and concerning said matters: It is therefore resolved by this Assembly, that said committee be and they are hereby reappointed and impowered to enquire into and examine all and singular the matters in said memorial alledged, and their report of what they find [to make] together with their opinion thereon to the General Assembly to be held at New Haven in October next.

Upon the memorial of Samuel Phelps, administrator on the estate of Silas Tiffany, deceased, shewing to this Assembly that he hath obtained liberty of this Assembly to make sale of part of the real estate of said deceased for the payment of debts due from said deceased more than the personal estate of said deceased would pay, and that accordingly part of the real estate of said deceased has been sold and said debts discharged thereby, since which time further debts have appeared against said estate, amounting in the whole to £9 1 9, L. money, which there is no personal estate of said deceased to pay: praying that liberty be granted by this Assembly to make sale of so much of the remaining real estate of said deceased as will be sufficient to pay said sum of £9 1 9, lawful money, and the charge arising on said sale, as by the memorial on file &c.: Resolved by this Assembly, that the said Samuel Phelps have liberty and he is hereby impowered, to make sale

of so much of the remaining real estate of said deceased as will be sufficient to raise said sum of £9 1 9 and the incident charges arising on said sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of James Cone, Ebenezer Spencer and John Mackall, selectmen of the town of East Haddam in the county of Hartford, representing to this Assembly that one Jonathan Hinkley of said town being likely to come to want by mismanagement and bad husbandry was by the selectmen of said East Haddam with the advice of Joseph Spencer, Esq^{r}, a justice of peace for said county, in the year 1757, taken with his family into the care of said selectmen; that they accordingly proceeded to set up notifications and to take an inventory of said Hinkley's estate &c., according to the statute in that case made and provided, and that the said Hinkley was much in debt and had several helpless children, which soon swallowed up all his personal estate, and that therefore the selectmen of said town have sundry times, on their application to the Honourable Assembly, obtained liberty for sale of some of the lands of said Hinkley, the last of which applications was made at the sessions of the Assembly in May, 1762; and also further observed that the said Hinkley and his family still continue in the care of said selectmen, one of said children very expensive, being lame and very impotent, so that the charges of supporting said family from May, 1762, to the present time amounts to £28 0 0, L. money, and that there is no moveable estate to pay any part of said sum; praying liberty to sell lands &c., as per memorial on file: Resolved by this Assembly, that the said John Mackall be impowered, and he is hereby impowered, to make sale of so much of the real estate of the said Hinkley as will be sufficient to pay said sum of £28 0 0, L. money, with incident charges, to be by the memorialists improved for the payment of said expences.

Upon the memorial of Jacob Simons and the rest of the inhabitants of the second society in Windham, shewing to this Assembly that said society on the 9th of December, 1762, at their public meeting passed sundry votes relative to selling and disposing of the pews in the meeting-house in said society to particular persons; that pursuant thereto a sale was made of said pews accordingly, but not in such manner as well accommodates the inhabitants of said society; that said votes were unduly obtained &c.; praying that said votes &c. may be declared void &c., as per memorial on file: Resolved by this Assembly, that the aforesaid votes of said second society in Windham passed on said 9th of December, 1762, relative

to the selling and disposing of the aforesaid pews in said meeting-house, referred to in said memorial, and all the proceedings thereon be, and they are hereby, made null and void, and all monies and securities given for any of said pews upon the sale aforesaid shall be returned to the person or persons who gave or executed the same, and all contracts made thereby wholly cease.

Upon the memorial of Seth Marshall, William Woodford and others, representing that a public road has heretofore been laid out and established, to run from the west end of Colonel John Whiting's farm across the mountain in Farmington, near to Mr. Joseph Woodfords, and so westerly until it meet with a highway thro' the notch of the mountains near Cherry's Pond, and from thence to the country road by Dudley Cases; that there is great need to have said road cleared and made feazible, and that proper and suitable bridges be made therein &c.: Resolved by this Assembly, and it is hereby ordered and decreed, that the inhabitants of the said town of Farmington, at the proper cost of said town, shall and do clear up, [34] mend || and make feazible the aforesaid highway from Col. John Whiting's farm to the said country road near by Dudley Cases, or so much thereof as doth fall within the bounds of said town, and that they shall and do make and erect suitable bridges in said road in all places where the same may be wanting, and especially over and across the great river in said town, to be built at or before the first day of October, 1764, and in form and manner as shall be convenient and safe for travellers, teams, horses &c., and that the selectmen of said town of Farmington shall give an account to this Assembly in May next of their proceedings, and how far they are in preparation to accomplish what by this act is enjoined them.

Upon the memorial of Jonathan Belding of Weathersfield and the rest of the inhabitants of the town of Weathersfield, representing to this Assembly that upon the report of a certain committee appointed by the county court held at Hartford on the first Tuesday of November, 1762, that there was need of a highway to be laid out &c. from the country road leading from Weathersfield to Midletown to the landing place at Rocky Hill, the said court thereupon summoned a jury to lay out the same &c. and assess damages to particular persons &c.; that said jury made report to said county court held in Hartford in April last, that said highway was laid out partly across the land of the widow Abigail Grimes of said Weathersfield, and that the same took in but one acre and half of said Grimes's

land, the same being by said jury apprized at £157 10 0, which the memorialists supposed was extravagant &c.; that said report being returned to said court just at the close of said court the memorialists were by mere misunderstanding or mistake hindered and prevented of making their objections against the acceptance of said report &c.: praying that such appointment and doing of said jury may be set aside or that a new jury may be appointed to assess the damages sustained by taking said acre and half of land, or that a committee may be appointed to reapprize and assess the same, or that it may be decreed what and how much shall be paid for said land &c.; as per memorial on file: Resolved by this Assembly, that the memorialists have liberty of a hearing before the county court to be holden at Hartford on the fourth Tuesday of June next by adjournment, on the objections that may be made by them against the acceptance of the return of said jury, as tho' the same had been made in due time; and that said court are directed and impowered to proceed and act thereon accordingly: the acceptance of said return at said county court in April last notwithstanding.

Upon the memorial of Jonathan Allen of Midletown, conservator of the person and estate of Sarah Allen of Midletown, an idiot, shewing to this Assembly that since he was appointed conservator of her and her estate he has expended for her and her support, over and above the incomes of her estate, the sum of £30 16 0, as by accounts allowed and adjusted by the county court appears, and that her whole estate is not worth more than £40 0 0; praying for liberty to sell the whole of her estate for to pay said sum and for her further support &c., as per memorial on file: Resolved by this Assembly, that the said Jonathan Allen have liberty and he is hereby impowered, to sell all the real estate of the said Sarah at public vendue, and what the same shall sell for over and above what shall be wanted to pay said sum of £30 16 0 and the incident charges arising shall be improved for her further support if she shall live, if not, to be for her heirs.

Upon the memorial of the inhabitants of Haddam, that there is real need of a public ferry to be kept on Connecticut River at a certain place in said Haddam known by the name of Brainerds Wharf, where the road or highway leads eastwards by Cedar Hill; praying for the priviledge &c.: It is therefore resolved by this Assembly, that the memorialists shall have liberty, and the liberty and priviledge of erecting and keeping of a ferry at the place aforesaid is hereby granted unto them during the pleasure of this Assembly; and the fare of said ferry

shall be, for man, horse and load, two pence; for a foot man, three farthings; ox, or other neat kind, three pence; and for sheep, hog, or goat, one farthing; and that the ferry be under the same regulations as the other ferries in this Colony are.

Upon the memorial of the parish of Chelsea in the town of Norwich, representing that the General Assembly in May, 1762,* granted a tax on all the improved lands in said society belonging to non-resident proprietors, for the use of said society, for ten years, which time is expired, and said society yet remaining in low and depressed circumstances, unable to support their minister and build a meeting-house, which they have great need of, without further assistance &c., as per [35] memorial on file appears: ‖ Resolved, that the tax so granted on the improved lands belonging to non-resident proprietors in said society of Chelsea be and the same is hereby continued during the pleasure of this Assembly, to be raised and collected as heretofore and applied to the uses and purposes in said memorial mentioned, of supporting the gospel and building a meeting-house for public worship in said society.

Upon the memorial of Phineas Sheldon of Suffield, conservator of Charles Gillit of said Suffield, praying for liberty to sell the real estate of the said Charles for his support &c.: Resolved by this Assembly, that the said Phineas Sheldon, conservator, shall have liberty, and liberty and authority is hereby granted unto him, to make sale of the real estate of said Charles: the monies produced by such sale to be improved for past expences of the said Charles to the amount of £33 13 7, lawful money, and the residue, if any be, towards his future support.

Upon the memorial of Isaac Kellogg of New Hartford, Esq^r^, agent for the inhabitants of the said town of New Hartford, shewing to this Assembly that there has been a road laid out on the cost of this Colony through the northeast part of the said town of New Hartford, much improved and used by travellers and strangers, and that there is a large river, twelve rods in width, the stream swift and the bottom very rocky, across which said road passes, and that there is much want of a bridge over said river, and that the inhabitants are very poorly able to pay their public taxes, considering what they have done in building a bridge heretofore &c.; and therein praying for a tax of one penny one farthing on the acre on all the lands in said town belonging to the inhabitants and proprietors of the town of New Hartford, as per memorial

* Should be 1752. Vol. x. 88.

may more fully appear: Resolved by this Assembly, that the inhabitants of the said town of New Hartford and all the other proprietors of said town be taxed at one penny one farthing on the acre on all the lands in said town belonging to the inhabitants and proprietors of the said town; and Seth Smith of said town is hereby appointed and impowered to collect the said tax and pay the same to said agent, for the purposes aforesaid, with the same power and authority as other collectors by law have.

Upon the representation of Ebenezer Robinson, Ebenezer Gallop, William Cutler and Andrew Spalding, listers for the town of Plainfield for the year of our Lord 1761, that the sum total of the lists of said town in said year with the fourfold and single additions, as the same are entered on the records of this Assembly, through a mistake of the listers in their return, is but £11446 16 6, which is £3078 1 2 less than the sum total of said lists and additions really is as the same are returned and entered in the town clerk's office in said town, and the constable appointed by said town to gather the country taxes on said lists and additions being required by the warrant of the Treasurer of this Colony to account only for rates made on the first-mentioned sum entered on the records of this Assembly as aforesaid, altho' the constable has made the rates on the said lists and additions as they are entered in the said town-clerk's office, and is by law able to collect the same: It is resolved by this Assembly, that the said sum of £3078 1 2 be added to the sum of £11446 16 6 already entered on the records of this Assembly as aforesaid, which will make the sum-total of the said lists and additions of said town £14524 17 8, and that the said constable be required to account with the Treasurer accordingly.

Upon the memorial of John Gallop, Jonas Shepard, William Williams and John Spaulding, listers for the town of Plainfield for the year of our Lord 1757, representing to this Assembly that they, the listers, did make additions to the general list of said town of said year the sum of £206 4 0 in fourfold assessments, and the sum of £370 16 0 in single additions, as the same was returned and entered in the town-clerk's office in said town, agreeable to law, and that the said additions were not transmitted to this Assembly and added to the general list in the records of this Assembly according to the direction of law in that case, whereby the constable appointed to collect the country taxes on said list by the warrant of the Treasurer of this Colony is not accountable for rates raised upon said additions, tho' made and col-

lected by the constable; as by memorial on file appears: It is resolved by this Assembly, that said additions be added to the sum-total of the said list of said town as tho' returned in proper season, and said constable be required to account with the Treasurer for the rates on said additions accordingly.

This Assembly doth grant to the Honorable Thomas Fitch, Esq^{r}, Governor, one hundred and fifty pounds, for his salary the first half of the current year; and the Treasurer is hereby ordered and directed to pay the same accordingly.

This Assembly doth grant to the Honorable William Pitkin, Esq^{r}, Deputy Governor, fifty pounds for his salary the first half of the current year; and the Treasurer is hereby ordered and directed to pay the same accordingly.

[36] This Assembly doth grant to Joseph Talcott, Esq^{r}, Treasurer, the sum of one hundred pounds, for his salary the last year.

This Assembly doth grant to Joseph Talcott, Esq^{r}, Treasurer, the sum of sixty pounds, for extraordinary services the last year.

This Assembly doth grant to George Wyllys, Esq^{r}, Secretary, the sum of twenty pounds, for his salary the last year; and the Treasurer is hereby ordered to pay the same.

Granted to Titus Hurlburt, Captain of the Battery at New London, the sum of £59 0 0, as by his accounts exhibited for his services in taking care of the battery and for the wages of himself and his men in the year 1762; and the Treasurer is hereby ordered to pay the same.

Granted by this Assembly to Mr. Timothy Green, printer, for his last half year's salary, the sum of fifteen pounds, and the sum of six pounds four shillings for disbursements as per his accounts; and the Treasurer of this Colony is hereby ordered to pay the same.

On the petition of Godfrey Malbone, Esq^{r}, of Newport in the Colony of Rhode Island, *vs.* John Banister of Newport aforesaid, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved in the negative.

On the petition of George Wyllys, Esq^{r}, of Hartford in the county of Hartford, *vs.* William Stanly of said Hartford, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved in the negative.

On the petition of Stephen Lee, of Litchfield in Litchfield county now of New Milford in said county, *vs.* Roger Brunson, Josiah Brunson, Peter Brunson, Jonathan Hitchcock jun.,

Noah Brunson and Ruth Hough, all of New Milford aforesaid, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved in the negative. *Cost allowed respondent* £3 0 7.

On the petition of Daniel McKey of Wallingford in the county of New Haven, *vs.* Ebenezer Mix of Hartford in the county of Hartford, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved in the negative. *Cost allowed respondent* £2 1 0.

On the petition of Daniel Foot of Colchester in the county of Hartford, *vs.* Abigail Lord, Patience Lord, Mary Lord, Sarah Lord, Elizabeth Lord, Ann Lord and Jerusha Lord, all of Colchester aforesaid, as on file: The question was put, whether anything should be granted on the prayer of this petition: Resolved in the negative. *Cost allowed respondent* £1 8 4.

On the petition of Josiah Smith of Weathersfield in the county of Hartford, *vs.* Joseph Forbs jun. and Sarah Forbs of Weathersfield aforesaid, as on file: The question was put, whether anything should be granted on this petition: Resolved in the negative. *Cost allowed respondent* £3 7. 0.

On the petition of Jesse Denison of Stonington in the county of New London, *vs.* John Wheaton of Warren in the Colony of Rhode Island, as on file: The question was put, whether anything should be granted on the prayer of this petition: Resolved in the negative. *Cost allowed respondent* £2 10 0. *Ex. granted June* 3*d*, 1763.

On the petition of Gideon Reynolds, Joseph Close and Ichabod Ogden, all of Greenwich in the county of Fairfield, *vs.* John Mead of Greenwich aforesaid, as on file: The question was put, whether the prayer of this petition should be granted: Resolved in the negative. *Cost allowed respondent* £2 9 8. *Ex. granted June 7th*, 1763.

On the petition of Richard Smith and Jeduthan Smith, both of Glastonbury, *vs.* Daniel Prat of said Glastonbury, as on file: The question was put, whether anything should be granted on the prayer of this petition. Resolved in the negative.

The Additions to the Lists of the respective Towns in this Colony for the Year 1762 sent in to this Assembly are as followeth.

	Single Additions.	Fourfold Additions.		Single Additions.	Fourfold Additions.
Hartford,	£	£			
New Haven,	837: 10: 3	483: 0: 0	Windham	£ 344 15 6	£ 354 16 0
New London,	193: 0: 0	236: 16: 0	Litchfield,		
Fairfield,	664: 17: 4	1084: 12: 0	Norwich,	345: 5: 0	1295: 17: 0
[37] Stamford,	154: 3: 3	636: 8: 0	Coventry,	3: 5: 3	566: 8: 0

	Single Additions.	Fourfold Additions.		Single Additions.	Fourfold Additions.
Torrington,	£68: 0: 0	£	Endfield,	£386: 6: 0	£
Brandford,	414: 8: 3		Mansfield,	135: 5: 6	16: 0: 0
New Milford,			Canaan,	100: 6: 0	304: 0: 0
Guilford,	4018: 7: 9½	521: 8: 0	Wallingford,	1339: 11: 7	592: 15: 0
Farmington,	557: 0: 0	710: 10: 0	Bolton,	262: 4: 0	381: 8: 0
Milford,	667: 6: 1¼	169: 17: 0	Cornwall,	172: 17: 0	
Suffield,	1134 11: 0		Danbury,	18: 3: 0	169: 4: 8
Windsor,	1798: 10: 0	3090: 0: 0	Weathersfield,	134: 0: 0	441: 8: 0
Voluntown,	310: 13: 0	48: 0: 0	Pomfret,	1429: 12: 0	421: 8: 0
Kent,	1604: 0: 0		Stonington,	1594: 14: 6	652: 16: 0
Haddam,	104: 18: 0	139: 15: 8	Saybrook,	945: 7: 2	144: 0: 0
Colchester,	644: 17: 6	620: 8: 0	Glastonbury,		
Stafford,	1983: 16: 0		Groton,	687: 19: 0	430: 17: 0
Killingsworth,	47: 18: 6	120: 12: 0	Waterbury,	486: 13: 3	23: 12: 0
Toland,	331: 3: 0	221: 12: 0	Symsbury,	2202: 5: 0	
Goshen,		216: 0: 0	Preston,	2243: 14: 0	404: 0: 0
Derby,	1253: 0: 10	160: 17: 0	Ridgefield,	349: 18: 10	54: 1: 6
Salisbury,	792: 19: 3	93: 18: 0	Plainfield,	174: 16: 6	
Harwinton,	166: 13: 0	43: 2: 0	Canterbury,	452: 5: 6	
New Hartford,	10: 15: 0	160: 12: 0	New Town,	317: 8: 9	318: 16: 0
Stratford,	1556: 10: 8	38: 12: 0	Somers,	338: 18: 0	
Norwalk,	297: 13: 9	1138: 13: 0	Middletown,		381: 8: 0
Lyme,	412: 10: 0	1282: 12: 0	Durham,	116: 3: 0	100: 2: 0
Hebron,	1199: 11: 0		Greenwich,	959: 17: 6	941: 10: 0
Woodbury,	1224: 10: 0	10: 0: 0	East Haddam,	210: 3: 0	
Sharon,	101: 0: 0		Lebanon,	422: 5: 0	367: 8: 0
Woodstock,	359: 10: 0	9: 10: 0	New Fairfield,	9629: 15: 0	
Killingly,	886: 9: 0	144: 0: 0	Willington,	6497: 3: 6	679: 8: 0
Ashford,	204: 11: 0	243: 6: 0			

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[39] *Anno Regni Regis Georgii tertii tertio.*

At a General Assembly of the Governor and Company of his Majesty's English Colony of Connecticut in New England in America holden at New Haven in said Colony on the second Thursday of October, being the thirteenth day of said month, and continued by several adjournments until the third day of November next following, annoque Domini 1763.

Present:

The Hon^ble^ Thomas Fitch, Esquire, *Governor.*
The Hon^ble^ William Pitkin, Esquire, *Deputy Governor.*

Ebenezer Silliman, Esq^r^,	Daniel Edwards, Esq^r^,	*Assistants.*
Hezekiah Huntington, Esq^r^,	Jabez Hamlin, Esq^r^,	
Andrew Burr, Esq^r^,	Mathew Griswold, Esq^r^,	
John Chester, Esq^r^,	Shubael Conant, Esq^r^,	
Benjamin Hall, Esq^r^,	Elisha Sheldon, Esq^r^,	

Representatives or Deputies who attended this Assembly are as follow, viz:

Hartford, Colo. Samuel Talcott, Colo. William Pitkin.
New Haven, Mr. Daniel Lyman, Mr. Samuel Bishop.
New London, Capt. Pygan Adams, Mr. William Hillhouse.
Fairfield, Mr. David Rowland, Mr. David Burr jun.
Windham, Mr. Samuel Gray, Colo. Eleazer Fitch.
Litchfield, Colo. Ebenezer Marsh, Capt. Isaac Baldwin.

Norwich, Capt. Jabez Huntington, Mr. Daniel Lothrop.
Stamford, Colo. Jonathan Hait, Mr. Abraham Davenport.
New Milford, Mr. Bushnel Bostwick, Mr. Nathan Gaylord.
Farmington, Capt. John Strong, Mr. Solomon Whitman.
Colchester, Mr. Daniel Foot, Mr. John Hopson.
Glastonbury, Capt. Jonathan Hale, Mr. William Wells.
New Town, Mr. Abel Booth, Capt. Henry Glover.
Ridgfield, Mr. Samuel Olmstead.
Coventry, Mr. Joseph Strong jun., Mr. Phineas Strong.
Haddam, Mr. Hezekiah Brainard.
Salisbury, Mr. John Everts, Capt. James Landon.
Milford, Capt. John Fowler, Mr. Robert Treat.
New Hartford, Capt. Isaac Kellogg, Capt. Mathew Gillit.
Sharon, Capt. John Williams, Mr. David Foster.
Branford, Mr. Josiah Rogers, Mr. Samuel Russell.
Killingly, Mr. Bryan Brown, Mr. William Danielson.
Cornwall, Mr. Joshua Pierce, Capt. Amos Johnson.
Stafford, Capt. Isaac Pinney, Mr. Samuel Davis.
Lyme, Mr. John Lay 2d, Mr. Samuel Selden.
East Haddam, Capt. Christopher Holms.
Willington, Mr. Moses Holms, Capt. Abner Barker.
Tolland, Capt. Zebulon West, Capt. Joshua Wills.
Saybrook, Mr. John Shipman, Capt. John Murdock.
Danbury, Mr. Samuel Dickinson, Mr. Samuel Taylor.
Killingsworth, Capt. Theophilus Morgan, Capt. Ebnathan Stevens.
Durham, Colo. Eliku Chauncey, Capt. James Wadsworth.
Waterbury, Mr. Ephraim Warner, Mr. Stephen Upson jun.
Hebron, Capt. Samuel Gilbert, Mr. Benja. Buell.
Suffield, Capt. Samuel Kent jun., Mr. William King.
Preston, Mr. Simon Brewster, Mr. Timothy Lester.
Mansfield, Mr. Benjamin Chaplin, Major Joseph Storrs.
[40] Woodbury, Mr. Daniel Sherman, Capt. Increase Moseley.
Midletown, Mr. Seth Wetmore, Mr. Mathew Talcott.
Lebanon, Capt. Joshua West, Mr. William Williams.
Wallingford, Mr. Charles Whittlesey, Capt. Samuel Hulls.
Windsor, Capt. Josiah Bissell, Mr. Mathew Rockwell.
Voluntown, Mr. John Gordon, Mr. Robert Jameson.
Groton, Capt. Ebenezer Avery, Capt. William Williams.
Sommers, Mr. Seth Dwight.
Bolton, Mr. David Strong, Mr. Stephen Cone.
Endfield, Capt. Joseph Olmstead, Mr. Nath[l] Terry.
Woodstock, Capt. Nehemiah Lyon, Mr. Eben[r] Smith jun.
Darby, Capt. Samuel Bassett, Mr. Charles French.
Pomfret, Colo. Ebenezer Williams, Mr. Samuel Craft.

Harwinton, Mr. Daniel Catling.
Canterbury, Capt. Jabez Fitch, Capt. Obadiah Johnson.
Plainfield, Captain John Douglass, Capt. Isaac Coit.
Stratford, Colo. Robert Walker, Capt. Ichabod Lewis.
Guilford, Colo. Timothy Stone, Mr. Nathaniel Hill.
Stonington, Capt. Joseph Denison, Mr. Simeon Minor.
Canaan, Colo. David Whitney, Capt. Charles Burrell.
Kent, Mr. Cyrus Marsh, Capt. John Hitchcock.
Weathersfield, Capt. Thomas Belding, Capt. Elisha Williams.
Norwalk, Mr. Thomas Fitch jun., Mr. Peter Lockwood.
Symsbury, Mr. Hezekiah Humphry, Capt. Jonathan Petibone.
Goshen, Capt. Moses Lyman, Capt. Samuel Nash.
Greenwich, Mr. John Clapp, Capt. Jabez Sherwood.
Ashford, Mr. Amos Babcock, Mr. Ezra Smith.

Capt. Jabez Huntington chosen Speaker, } of the House of
Mr. Abraham Davenport chosen Clerk, } Representatives.

An Act for limiting certain Provisions in a Law of this Colony intituled An Act for licencing and regulating Retailers and for granting and collecting an Excise on distilled Spirituous Liquors and to enforce the Collection of the Excise already accrued by Virtue of said Act.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the town-clerk of each and every town in this Colony respectively, before the 21st day of March next shall certifie to the Treasurer of this Colony the names of the persons duly appointed collectors of excise for their towns in each and every year since November, 1755, and the year for which each collector was chosen, and also the deficiencies of such towns in not duly appointing collectors from time to time as said statute directs.

And every Assistant and justice of the peace that have taken bonds of retailers according to said statute in any towns where no collectors were duly appointed are hereby authorized to take such retailer's account upon oath according to the condition of such bonds, and collect the monies thereon as the collectors by said statute are directed in case such retailers shall so account within six months after the rising of this Assembly: but if no such account be had in said term, that then such Assistants and justices shall deliver such bonds to said Treasurer, taking his receipt therefor and lodge the same with the Secretary; which bonds and also all such deficiencies and neglects of any town in not comporting themselves according to said statute that are by law correctable shall by said Treasurer be put into the hands of the King's Attornies, to be by them transacted with as said attornies are directed to do in case of negligent collectors, ac-

[41] cording to the provision ‖ of the law of this Colony intituled An act in further addition to the law of this Colony intituled An act for licencing and regulating retailers and for granting and collecting an excise on distilled spirituous liquors. And such King's Attornies from time to time as they shall receive monies for this Colony shall pay the same to said Treasurer, and shall lay the accounts of all the credits and duties put into their hands, and of their transactions about the same, and the whole state of the Colony's business and affairs in their hands, of what nature soever, before the General Assembly to be held in Hartford in May next, and also to every session of this Assembly in October and May in every year for the future, so long as they shall have any of the Colony's credits and business in their hands and under their care.

And be it further enacted by the authority aforesaid, That that part of said act first referred to, respecting the laying the excise of four pence per gallon on every gallon of distilled spirituous liquors, granting licences to retailers and choosing collectors of excise, shall be of force till the rising of this Assembly, and no longer.

An Act in Addition to the Law of this Colony intituled An Act for the Direction of Listers in their Office and Duty.

Whereas in said act it is provided that all traders, tradesmen and artificers shall be rated in the list proportionable to their gains and returns: whereupon doubts have arisen, whether persons licenced to keep houses of public entertainment are included in said act; which may occasion difficulties and inequalities in the lists of different towns: Which to prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That all persons licenced to keep houses of public entertainment shall be rated in the list proportionable to their gains, according to the best judgment and discretion of the listers.

An Act for reviving an Act of this Assembly made and passed in their Sessions in May Anno Domini 1761, intituled An Act in further Addition to the Law intituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in October last, that the aforesaid act should continue in force until the rising of this Assembly, and no longer: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act, intituled An act in further addition to the law intituled An act providing in case of sickness, be revived, and the same is hereby revived, and shall continue and be of force until the rising of this Assembly in May next.

This Assembly do appoint and impower Richard Jackson of Inner Temple London, Esq^{r}, Agent and Attorney for the Governor and Company of this Colony, to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this Colony on account of the services done in obedience to his Majesty's command in the year 1762, and accordingly give his receipt therefor. And it is hereby ordered, that a proper instrument of procuration or letter of attorney be made in the name of said Governor and Company, under the public seal and signed by the Governor and Secretary of this Colony, fully impowering the said Richard Jackson, Esq^{r}, for the purposes aforesaid.

Resolved by this Assembly, That Richard Jackson of Inner Temple London, Esq^{r}, Agent for this Colony, who is impowered to receive all such money as is granted by Parliament and is or may be distributed and ordered to be paid this [42] Colony on account of services done in obedience to his || Majesty's command in the year 1762, be and he is hereby directed, on receipt of the same to lodge it in some secure bank in London for safety, in the name and for account of this Colony, to be drawn out by the Agent for this Colony for the time being, and by the first good opportunity to inform thereof. And he is further directed, to pay out of the same all such bills of exchange as may be drawn on him by his Honor the Governor in favour of any person or persons whomsoever.

This Assembly, being advis'd by his Honor the Governor of a difference much in our disfavour between the numbers of our troops in service, 1761, as transmitted to England by his Excellency Sir Jeffry Amherst and the number computed by the Pay-Table in settling the pay-rolls for said campaign, and being also by the committee now to that purpose appointed advised of sundry facts most probably conducive to such difference and in support of the larger number contained and allowed in said pay-rolls,

Do thereupon resolve, That Colo. Eleazer Fitch be and he hereby is appointed, authorized and instructed, to repair to General Amherst [and] in the name of this Assembly of his Excellency beg leave to lay said matter before him for his further consideration, and requesting that on discovery of any new light thrown upon said affair in favour, he'd be pleased thereupon to make such representation home as that the Colony remain not a sufferer in its interest or reputation by failure of many of their troops being mustered at Albany, which might, and we are advised actually did, so happen from mat-

ters so merely casual as clearly not only to exculpate not only the Muster-Master-General there, but the Colony also.

Whereas this Assembly at their sessions in May last granted a brief for a contribution throughout this Colony in favour of the Indian charity school under the care of the Reverend Eleazer Whelock of Lebanon, which having been published in some few congregations the collections have been but small, which is probably owing to the rupture since said grant broken out among the western Indians; and as most of the ministers, apprehensive of the ill success of that charitable design under the present situation of the Indian nations, have suspended the publication of said brief, and sundry of said ministers having requested his Honor the Governor that they may have the advice and direction of this Assembly relative to their publishing said brief: Resolved by this Assembly, that such of the ministers of this Colony as have not published said brief be and they are hereby advised and directed to suspend the publication of said brief until further orders from this Assembly.

This Assembly doth appoint Mr. Timothy Green,* of New London, Printer for the Governor and Company of this Colony.

This Assembly doth establish Mr. Samuel Hickox jun. to be Ensign of the first company or trainband in the town of Waterbury.

This Assembly do establish Mr. Nathaniel Dickenson to be Lieutenant of the 18th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Isaac North jun. to be Ensign of the eighteenth company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Timothy Hurd to be Ensign of the third company or trainband in the town of Woodbury.

This Assembly do establish Mr. Jonah Foster to be Captain of the 2d or north company or trainband in the town of Ridgfield.

This Assembly do establish Mr. Isaiah Birchard to be Lieutenant of the 2d or north company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Barnabas Hamlin to be Ensign of the 2d or north company or trainband in the town of Ridgefield.

* Nephew of Timothy Green the late printer, who had died August 3, 1763. *Caulkins.*

This Assembly do establish Mr. Peter Hubbel to be Lieutenant of the company or trainband in the parish of Newbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Henry Peck to be Ensign of the company or trainband in the parish of Newbury in the 4th regiment in this Colony.

This Assembly do establish Timothy Pearl to be Captain of the 8th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Merrick to be Lieutenant of the 8th company or trainband in the 5th regiment in this Colony.

[43] This Assembly do establish Mr. Joseph Crocker to be Ensign of the 8th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Richard Hubbard to be Captain of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Watts Hubbard to be Lieutenant of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Goodwin to be Ensign of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Ephraim Fuller to be Captain of the 18th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Jonathan Heustead to be Captain of the company or trainband in the parish of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. James Talmage to be Lieutenant of the company or trainband in the parish of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. John Benedict the 4th to be Ensign of the company or trainband in the parish of Canaan in the 9th regiment in this Colony.

This Assembly do establish Mr. Joseph Perry to be Captain of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Silas Hickox to be Lieutenant of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Thomas Warner to be Cornet of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. David Curtiss to be Quarter-Master of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Zebulon Peck to be Captain of the 6th company or trainband in the town of Farmington.

This Assembly do establish Mr. Benjamin Brooks to be Lieutenant of the 6th company or trainband in the town of Farmington.

This Assembly do establish Mr. Peleg Burret jun. to be Captain of the company or trainband in the parish of Ripton in the 4th regiment in this Colony.

This Assembly do establish Mr. Hudson Blackleach to be Ensign of the company or trainband in the parish of Ripton in the 4th regiment in this Colony.

This Assembly do establish Mr. Treat Mills to be Lieutenant of the company or trainband in the parish of Ripton in the 4th regiment in this Colony.

This Assembly do establish Mr. Benjamin Gibbs to be Captain of the third company or trainband in the town of Litchfield.

This Assembly do establish Mr. Ephraim Smedly to be Lieutenant of the third company or trainband in the town of Litchfield.

This Assembly do establish Mr. Jedediah Perkins to be Lieutenant of the 7th company or trainband in the town of Norwich in the third regiment in this Colony.

This Assembly do establish Mr. William Dunham to be Lieutenant of the 9th company or trainband in the 12th regiment in this Colony

This Assembly do establish Mr. Nathaniel Sexton to be Ensign of the 9th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Agur Tomlinson to be Captain of the first company or trainband in the town of Stratford.

This Assembly do establish Mr. Abijah Beach to be Lieutenant of the first company or trainband in the town of Stratford.

This Assembly do establish Mr. Samuel Beers to be Ensign of the first company or trainband in the town of Stratford.

This Assembly do establish Mr. Thomas Crittenden to be Captain of the first company or trainband in the town of Salisbury.

This Assembly do establish Mr. Abiel Camp to be Lieutenant of the first company or trainband in the town of Salisbury.

This Assembly do establish Mr. Daniel Brown jun. to be Lieutenant of 6th company or trainband in the town of Stonington.

[44] This Assembly do establish Mr. Ichabod Palmer to be Ensign of the 6th company or trainband in the town of Stonington.

This Assembly do establish Mr. John Hitchcock to be Captain of the 2d company or trainband in the town of Kent.

This Assembly do establish Mr. James Terril to be Captain of the 3d company or trainband in the town of New Milford.

This Assembly do establish Mr. Moses Averil to be Lieutenant of the 3d company or trainband in the town of New Milford.

This Assembly do establish Mr. Nathan Hawley to be Ensign of the 3d company or trainband in the town of New Milford.

This Assembly do establish Mr. Josiah Hollister to be Lieutenant of the first company or trainband in the town of Sharon.

This Assembly do establish Mr. Samuel Hitchcock to be Ensign of the first company or trainband in the town of Sharon.

This Assembly do establish Mr. Charles Elsworth to be Captain of the seventh company or trainband in the town of Windsor.

This Assembly do establish Mr. Ebenezer Russell to be Lieutenant of the seventh company or trainband in the town of Windsor.

This Assembly do establish Mr. Abner Burroughs to be Ensign of the seventh company or trainband in the town of Windsor.

This Assembly do establish Mr. Amos Tirril to be Lieutenant of the 2d company or trainband in the town of Newton.

This Assembly do establish Mr. James Blackman to be Ensign of the 2d company or trainband in the town of Newtown.

This Assembly do establish Mr. James Bradford to be Captain of the first company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Douglass jun. to be Lieutenant of the first company or trainband in the 11th regiment in this Colony.

Whereas upon the petition of Mary Kimberly of Glastonbury, the only acting executrix of Samuel Kimberly late of said Glastonbury, deceased, against John Hill and Keziah Hill, executors of the last will and testament of John Hill late of said Glastonbury, deceased, preferred to this Assembly in May

last, shewing that the said John Hill, deceased, sometime about the 26th day of February, 1759, being much in debt and in want of a large sum of money, and that one David Hubbard, then of said Glastonbury, Esq^r, now deceased, agreed to supply him therewith if he could procure said Samuel to become [bound] with said John for £103 8 0, lawful money, to be paid to said David at or before the 26th day of February, 1761, with the lawful interest, and that he, the said John deceased, thereupon made application to said Samuel for that purpose, and that he, the said John deceased, would give to said Samuel a bond to save him harmless therefrom; that consequent thereon the said Samuel for the benefit of him, the said John Hill deceased, only, and at his request, became jointly bound with the said John, deceased, for the said sum of £103 8 0 lawful money, and lawful interest, as aforesaid; that said bond to save the said Samuel harmless was yet, nevertheless, neglected and not taken during the lives of said David, Samuel and John; that judgment hath since been recovered by said Hubbard's executors against the petitioner and the executors of said John deceased thereon; praying for a decree against said executors of said John deceased, or that a committee might be appointed to make inquiry and report their opinion, as by said petition on file &c.: on which petition Jonathan Hills, Elisha Williams and William Wells, Esq^rs, were appointed a committee for the purpose aforesaid, and have made their report to this Assembly that said Samuel was bound for said John deceased as set forth in said petition, and that said Samuel received of the said money he was so bound for three thirty-shilling bills emitted in August, 1755, which he converted to his own use, and that said John received the whole remainder of said £103 8 0 for his own use and benefit; as by said report may more at large appear, which hath been accepted: Resolved by this Assembly, that the said Mary Kimberly shall recover of said John Hill and Keziah Hill, executors of the last will and testament of said John, deceased, the sum of £121 18 4, lawful money, and her reasonable cost, and that the Secretary give out execution accordingly.

Upon the memorial of Joshua Culver and Avis his wife, of Litchfield in Litchfield County, shewing to this Assembly that at the county court at Litchfield in Litchfield county on the fourth Tuesday of April, 1763, they recovered judgment [against] Robert North, late of Torrington in Litchfield county now resident in Middletown in Hartford county, for the sum of thirty-seven pounds lawful money, damage, and seven [45] pounds seven shillings four pence cost, and that ‖ execu-

tion was issued thereon in due form of law against said North, dated on or about the first of May, 1763, which execution was delivered to an officer to serve and return the same, who took the body of the said North and him committed to the keeper of the gaol in Hartford in Hartford county, and while said execution was in full life the said North was admittted to take the poor prisoner's oath without any previous notice to the said memorialist &c., and the said North was set at liberty, whereby the memorialists are wholly deprived of the benefits and demands of said execution; praying that an *alias* execution on said judgment may issue against said Robert by the clerk of said court in due form of law &c., as per memorial on file: Resolved by this Assembly, that an *alias* execution be issued against the said Robert North on said judgment, by the clerk of said county court in due form of law.

Upon the memorial of John Dyer, Esq^{r}, of Canterbury, and others, moving and representing to this Assembly the necessity of having built and always kept in repair a good cart bridge across Quinabaug River in said Canterbury at a place where lately stood a bridge called Butts Bridge, and praying this Assembly to enact and order that the said town of Canterbury at their proper charge and expence from time to time build, erect, keep in repair, support and maintain, at the place aforesaid, a good cart bridge: Resolved by this Assembly, and it is hereby enacted, resolved and ordered, that the town of Canterbury, at the cost, charge and expence of the inhabitants of said town from time to time, do and shall build, erect, keep in repair, support and maintain, at the place where the bridge called Butts Bridge lately stood, a good cart bridge. And it is further resolved by this Assembly, that the county court in the county of Windham have full power and authority, and full power and authority is hereby given them, (on neglect and failure of said town of Canterbury in building and supporting said bridge as aforesaid,) to order and direct a bridge at said place from time to time to be built and repaired as they shall see and find necessary, on information or complaint to them made, and to appoint a committee for that purpose and tax the inhabitants of said Canterbury from time to time in such sum or sums as they, the said county court, shall find needful for the purposes aforesaid, and to appoint collectors and them invest with proper warrants and authority to collect and pay said moneys according to said county court's orders to them given.

Whereas George Smith and the rest of the children and heirs of John Smith formerly of said Hartford, deceased, and Normand Morrison of said Hartford and the rest of the chil-

dren, grandchildren and heirs of Doctor Normand Morrison late of said Hartford, deceased, and Ann Morrison, his widow, joined in a petition to this Assembly in October, 1762, representing that certain difficulties had arisen among them &c., praying a committee might be appointed to make a settlement of said difficulties &c.; upon which petition Jonathan Trumble and John Chester, Esq^rs, and Doct. Daniel Lothrop were appointed a committee for the purpose aforesaid, and ordered to make report &c.; and whereas said committee were prevented making report to the General Assembly in May last, were then reappointed and ordered to make report to this Assembly at their present sessions; and whereas some unexpected difficulties have prevented said committee from preparing their report thereon, to present to this Assembly at their present sessions: It is therefore resolved by this Assembly, that said committee be and they are hereby impowered and directed to proceed and hear said parties upon said matters, and make their report thereon to this Assembly at their sessions in May next.

Upon the petition of Godfrey Malbone, Esq^r, of Newport in the Colony of Rhode Island, against John Banister of the same Newport, complaining to this Assembly that the superior court held at Windham on the third Tuesday of September last made certain errors and mistakes in the chancery of a certain bond on which an action was brought by said Banister against said Malbone, as per writ brought to Windham county court June 4th Tuesday, 1758, dated December 16th, 1757, and which afterwards came to final tryal before said superior court; praying for a new tryal of said cause &c., as per the petition on file: Resolved by this Assembly, that the petitioner have liberty of a new tryal of said cause on the chancery of the bond only, referred to in said petition, at the superior court to be held at Windham aforesaid on the 3d Tuesday of March next, on his giving sufficient bond to abide judgment.

Upon the petition of Yale Bishop of New Haven, representing to this Assembly that Nash Yale of Wallingford having borrowed on the 3d of March, 1759, of Jedediah Norton of Farmington the sum of two hundred forty-four pounds lawful money, by deed of that date conveyed and mortgaged to him, said Norton, his, said Yale's, homestead in said Wallingford, called the Stone House Farm, containing about eighty-eight acres, and that at the same time the said Yale received of said Norton his bond conditioned for the reconveying of said land to said Yale on his, said Yale's, paying the sum of two hundred and seventy pounds with interest unto the said Norton;

that said land not having been redeemed by the time limited by said bond, the said Norton entered at the termination of the time limited on said land and enjoyed it; that on the 16th [46] of || July, 1763, the said Nash Yale conveyed to said Yale Bishop his equity of redemption in said land: that said Yale Bishop had tendered to said Norton two hundred and forty-seven pounds and requested his, said Norton, reconveying of said lands to him, said Yale Bishop, which he refused, and thereupon praying commissioners might be appointed to enquire into the matters contained in said petition &c., as per said petition on file more fully appears; and the respondent appearing before this Assembly and by his attorney consenting to the appointment of commissioners for said purpose: Resolved by this Assembly, that Ebenezer Silliman, John Chester and Jabez Hamlin, Esq^rs, be and they are hereby appointed commissioners, to call the parties to said petition before them, and such other witnesses as they shall judge proper, and to examine into the matters therein mentioned and referred to, and report what they shall find in the premises with their opinion thereon to this Assembly at their sessions at Hartford in May next.

Upon the petition of Joseph Phelps and Hannah his wife, both of Symsbury in the county of Hartford, against Aaron Clark of Windsor in said county, representing that on application of said Clark to them on or about the second day of April, A. D. 1761, they had agreed to sell unto him, the said Clark, a certain tract or parcel of land in said Windsor on the east side of great river, bounded and described as in said petition, at the price and for the consideration of sixty-five pounds: twenty pounds eight shillings to be paid down, fourteen pounds twelve shillings to be paid in labour, and thirty pounds to be secured by note; and that whereas the petitioners not being then able to compleat a deed of said premises the said Joseph, one of the petitioners, then gave his note of forty pounds money to the said Aaron to be in force in case the petitioners should not fulfil said bargain and compleat said deed in a short time afterwards; that said deed was afterwards compleated, and by false and feigned pretences of the said Aaron he obtained the same and caused the same to be entered on the records of said Windsor without ever fulfilling on his part or paying or securing the price of said land; and that the said Aaron had also fraudulently obtained a judgment on said forty pound note, to the great wrong and injury of the petitioners &c.; praying for a committee &c.: the General Assembly held at Hartford on the 2d Thursday of May, 1763, ap-

pointed Josiah Bissell, Esq^{r}, and Capt. Nath^{l} Loomiss of Windsor, and Hezekiah Humphry, Esq^{r}, of Symsbury, a committee to inquire into the matters referred to in said petition &c., and to make report of what they shall find with their opinion thereon; which committee have made report to this Assembly, that they find the principal facts in said petition alledged true, and that their opinion is that there is due in equity from the said Aaron to the petitioners the sum of ninety-two pounds thirteen shillings and nine pence money, exclusive of cost, and the same is accepted, as by said report at large appears: Whereupon it is resolved by this Assembly, that the said Aaron shall pay unto the petitioners the said sum of ninety-two pounds thirteen shillings and nine pence lawful money and his cost, taxed at £13 4 7, and that execution be granted for said sums. *Ex. granted Nov. 9th*, 1763.

Whereas upon the petition of Jonathan Fowler of Guilford, against Titus Culver of Wallingford, preferred to this Assembly at their session at Hartford in May, 1761, complaining of fraud in the sale of a certain pretended right to land of one Metoxen, an Indian, and praying to have a certain judgment of New Haven county court, April, 1761, set aside, *viz:* a judgment rendered on a note for £10 0 0 given by said petitioner to said Culver for said purchase, or to have commissioners appointed to look into said matter &c., Messrs. Eben^{r} Backus, Joshua West and Eleazer Fitch, Esq^{rs}, were appointed a committee to look into said matters and make their report to this Assembly; which committee having been further since reappointed, by reason they had not been able to go through with the affair, but have not yet concluded the said matter, and on account of their living so far from the parties and their witnesses are not able conveniently to do the same: Wherefore it is resolved by this Assembly, that the said Ebenezer Backus, Joshua West and Eleazer Fitch be and they are hereby reappointed a committee with full power to enquire, as aforesaid, into and report make to this Assembly at their present or next session what they shall find in the matters of complaint in said petition mentioned and set forth, with their opinion thereon, and that in the meantime execution of said judgment of said county court be stayed.

Whereas upon the petition of Joseph Lindsey jun., Josiah Fowler, Daniel Malthie, Timothy Hoadly, Joseph Lindsey, Amos Humison, Benjamin Malthie, Josiah Talmage and Dan Pond, of Brandford, and Abel Merriman, Titus Cook, Caleb Culver, Samuel Culver and Joseph Bartholomew, of Wallingford, William Lewis of Durham, Isaac Waterman of Midle-

town, Abner Smith, Samuel Hubbard and Elihu Johnson of Haddam, against Titus Culver of said Wallingford, preferred to this Assembly in May, 1761, complaining of fraud in the sale to the petitioners of a certain pretended Indian right of land belonging to one Metoxsen, an Indian native, praying to have certain notes of hand by them, the petitioners, given for the purchase of said land, vacated, or commissioners appointed to look into the matter &c., Messrs. Ebenezer Backus, Joshua West and Eleazer Fitch, Esq[rs], were appointed commissioners as aforesaid, which commissioners not being able, by reason of certain disappointments, to attend said business according to the appointment, and having been again reappointed have not as yet been able to attend upon the business, and by reason of their living remote from the parties and the witnesses cannot conveniently be got together to attend the same: Whereupon it is resolved by this Assembly, that the said Ebenezer Backus, Joshua West and Eleazer Fitch, be and they are hereby reappointed a committee with full power to enquire as aforesaid into said matters of complaint, and make their report to this or the next Assembly of what they shall find in the premises with their opinion thereon.

[47] Upon the memorial of Isaac Webster and Elisha Seymour of Hartford, administrators on the estate of John Carter late of said Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of said John Carter, deceased, surmount the moveable estate of said John Carter, deceased, the sum of sixty-two pounds and ten pence lawful money; praying for liberty to make sale of so much of the real estate of said John Carter as will raise said sum together with incident charges of sale: Resolved by this Assembly, that the said Isaac Webster and Elisha Seymour be impowered and they are hereby impowered, to make sale of so much of the real estate of the said John Carter, deceased, as will procure the sum of sixty-two pounds and ten pence lawful money together with the incident charges of sale; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Martha Burres, administratrix on the estate of Jonathan Burres late of Toland, deceased, shewing to this Assembly that debts, charges and allowances due from the estate of said deceased surmounts the personal or moveable part of the estate of said deceased the sum of £42 14 3, lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum with the necessary incident charges arising on said sale, as

per memorial on file: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said deceased as to raise the aforesaid sum of £42 14 3, L. money, for the payment of said debts, together with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Charles Elsworth, executor to the last will and testament of Mr. Richard Smith late of Ellington parish in Windsor, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said deceased surmount the personal moveable estate of the said deceased the sum of £11 15 5, L. money, and that the said deceased made no provision in his will for the payment of said debts; praying this Assembly to grant liberty and impower him, the said executor, to sell so much of the real estate of the said deceased as to raise said sum with the incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased as to raise the said sum of £11 15 5 money, for the payment of said debts, together with the necessary incident charges arising on said sale; taking the direction of the court of probates in the district of Stafford therein.

Upon the memorial of John Tyler and Hezekiah Lord, administrators on the estate of Elias Lord late of Preston, deceased, shewing to this Assembly that the debts, charges &c. against the estate of the deceased surmount the personal estate the sum of £134 0 0, L. money; praying for liberty for said administrators or any one of them, to sell so much of the real estate of said deceased as to pay the said sum of £134 0 0, L. money: Resolved by this Assembly, that Hezekiah Lord, one of said administrators, have liberty, and liberty is hereby granted to said Lord, and he is hereby impowered, to sell so much of the real estate of the said deceased as to pay the sum of £134 0 0, L. money, with the necessary charges arising thereon; taking the directions of the court of probate for the district of Norwich therein.

Upon the memorial of the society of Chelsea in the town of Norwich, representing that the said society when constituted was small, that the principal business of the inhabitants depending on was trade, the same has greatly declined, whereby they are much weakened, that they have settled a minister with whom they are well satisfied, and having

agreed to build a meeting-house for public worship have made several attempts to raise money for that purpose but have hitherto been disappointed and find they cannot go through with the building said house and supporting the gospel in said society without further assistance; praying that the country rate or tax on the inhabitants of said society may be given and appropriated to that purpose, and that such further aid may be afforded them as may enable them to go on with so pious and necessary a work; as per memorial on file &c.: Resolved by this Assembly, that the Colony tax, exclusive of the sinking fund, arising on the inhabitants of said society be annually paid, and the collector of the Colony tax for said town of Norwich for the time being is hereby directed annually to pay the same, to said society's committee during the pleasure of this Assembly, and that such sums of money as may be remaining in the hands of the collector of excise in the town of Norwich, or is now due therefor, be and the said collector of excise is hereby directed to pay the same into the hands of the committee of said society of Chelsea: the whole monies so by said committee to be received as aforesaid to be by them applied to the purposes in said memorial mentioned.

Upon the memorial of Abigail Finch, of Greenwich in Fairfield county, administratrix on the estate of Jeremiah Finch late of said Greenwich, deceased, shewing that the debts &c. due from the estate of said deceased surmount the personal inventoried estate of said deceased the sum of £31 0 8¼, L. money, and thereupon praying to be impowered to sell so much of the real estate of said deceased as may be sufficient to raise said sum and answer the charges arising on such sale: Resolved by this Assembly, that the said Abigail Finch ave liberty and she is hereby impowered, to sell so much of the real estate of said deceased as may be sufficient to raise said sum of £31 0 8¼ lawful money, and also to answer the charges arising on such sale; taking the direction of the court of probates for the district of Stamford therein.

[48] Upon the memorial of David Waterbury and Jemima Waterbury, administrators on the estate of Munmouth Lounsbury late of Stamford in Fairfield county, deceased, shewing to this Assembly that since the allowance of this Assembly in May, 1762, to sell lands for payments of debts due from said estate more debts have appeared against said estate, an account of which hath been exhibited before and allowed by the court of probates for the district of Stamford, amounting in the whole (exclusive of what is due from said estate on ac-

count of said deceased being surety for John Knap, deceased,) to the sum of £13 14 8¾ lawful money, for the payment of which said memorialists have nothing in their hands, and thereupon praying that some suitable person may be impowered to sell real estate to raise said sum and to answer the charge of such sale &c.: Resolved by this Assembly, that Thomas June jun., of said Stamford, have liberty and he is hereby impowered, to sell so much of the real estate of said deceased Monmouth Lounsbury as may be sufficient to raise said sum and pay the charges arising on such sale; taking direction of the court of probates for the district of Stamford therein.

Upon the memorial of Rebeckah Barnard, administratrix on the estate of Peter Barnard late of Milford, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said deceased surmount the personal inventoried estate of said deceased the sum of £15 5 10 money, and thereupon praying to be impowered to sell so much of the real estate of said deceased as may be sufficient to raise said sum and the charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty and she is hereby impowered, to sell so much of the real estate of said deceased as may be sufficient to raise said sum and the incident charges arising on such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of John Newton of Milford, executor of the last will and testament of Ezekiel Newton late of said Milford, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate in the district of New Haven, including some small allowances to the widow of said deceased for a mourning suit and provisions, and also together with some necessary articles of household stuff and a cow given in said will to said widow, surmount the whole moveable inventoried estate the sum of £81 1 11 lawful money, and praying that some meet person might be impowered to sell so much of the real estate of said deceased as shall raise a sum sufficient to pay said sum and charges of sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist be and he hereby is impowered, to sell so much of the real estate of said deceased as shall raise a sum sufficient to pay said sum of £81 1 11½ and charges of sale; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of David Waterbury and Jemima his

wife, both of Stamford in Fairfield county, administrators on the estate of Munmouth Lounsbury late of said Stamford, deceased, representing to this Assembly that one John Knap of said Stanford, now deceased, in his life time was indebted to sundry persons in large sums of money; that said Knap being so indebted and his creditors desiring to have such money better secured, the said Knap requesting the said Munmouth to be security with him for said money, who became bound with the said Knapp for the payment of the said money, and that the said Knap only to secure him, the said Munmouth, in that behalf made and executed to him, said Munmouth, two several deeds, in one of which he conveyed to him &c. two tracts of land lying in the township of Stanford, one of which being in quantity 21 acres and bounded westerly by a highway, northerly on land that belonged to Joshua Webb, easterly by the Mill River, southerly by the said Knapp's land, the other of said tracts being situate in the North Field, so called, on the west side the Mill River, and bounded westerly by highway, northerly partly by Silas Weed's land and partly by land of said Knapp, easterly by land of Mr. Loyd, and southerly partly by Samuel Hait and partly by Moses Knapp's land; in the other of said deeds the said Knap conveyed to said Munmouth &c. eleven and half acres of land lying on the west side of Bedford road and bounded east in part on John Knap jun land and part by said Bedford road, south and west by said Lounsbury's land, and north by said Lounsbury's land in part and part by John Knap jun.: the same monies for which the said Knap and Monmouth were obligated as aforesaid being unpaid at the times of their deaths, amounting to £123 0 0, lawful money, and the same being allowed by the court of probate for the district of Stamford as a debt against the estate of said Munmouth &c.; praying that the memorialists, or some other suitable person, may be impowered to sell so much of the said lands as will answer and satisfie said sums with charges of sale, and what of said lands remain be conveyed back to the heirs of said Knap &c., as per memorial on file: Resolved by this Assembly, that Thomas June jun. of Stamford have liberty, and liberty and authority is hereby granted to him, to sell so much of the said lands as shall be sufficient to pay and satisfy the said sum of £123 0 0 with the charges of sale, and also to convey the residue of said lands that shall be left after such sale as aforesaid to the heirs of said John Knap, deceased, in proportion to be by them severally held agreeable to the last will and testament of said Knap.

Upon the memorial of the inhabitants of the east part of the township of Torrington in the county of Litchfield, praying to be made a distinct ecclesiastical society with all the powers and priviledges of other societies in this Colony, and also that the west tier of lots in the township of New Hartford, beginning at the south bounds of said New Hartford and to extend north four miles, be annexed to said society, and also that the said inhabitants now living or that shall hereafter live on said west tier be exempted from paying [49] country rates &c., as per memorial on file: || Resolved by this Assembly, that the inhabitants living on the east part of the township of said Torrington, *viz:* to begin at the east bounds of said Torrington and to extend west four tier and a half of lots, and also that the west tier of lots in the township of New Hartford from the south bounds of said New Hartford to extend north four miles, be and they are hereby made and constituted one distinct ecclesiastical society, with all the priviledges and powers that other ecclesiastical societies in this Colony are vested with, and shall be known and called by the name of Torringford; and also that the inhabitants now living or that shall hereafter live on said west tier of lots in said New Hartford shall be exempted from paying Colony taxes during the pleasure of this Assembly.

Upon the memorial of John Stephens of Stratford, praying for the raising the fare of the ferry at the narrows over Stratford River, as by memorial on file appears: Resolved by this Assembly, that for the future the fare of said ferry shall be three pence for man, horse and load, one penny for a foot man, two pence for a led horse, four pence for an ox or other neat kine, one farthing for every sheep, hog or goat.

Upon the memorial of James Ford, administrator on the estate of John Ford late of Norwich in New London county, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Norwich surmount the sum of the personal estate of the said deceased the sum of £26 2 6, and praying for liberty and authority to sell so much of the real estate of the said deceased as to enable him to pay the said sum and the necessary charges arising on such sale: Resolved by this Assembly, that the said James Ford have liberty and he is hereby authorized and impowered, to sell so much of the real estate of the said deceased John Ford as to enable him to pay the said sum of £26 2 6 and the necessary charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of Olive Allyn, administratrix on the estate of Nathan Allyn late of Canterbury, deceased, shewing to this Assembly that the debts &c. against the estate of said deceased surmount the personal estate the sum of £12 10 0, L. money; praying for liberty to sell so much of the real estate of said deceased as to pay said sum of £12 10 0 L. money, with the necessary charges arising thereon &c.: Resolved by this Assembly, that the said administratrix have liberty and she is hereby impowered, to sell so much of the real estate of said deceased as to pay the said sum of £12 10 with the necessary charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

Upon the memorial of Nathan Williams and Waitstill his wife, shewing to this Assembly that they are administrators to the estate of Charles Davenport late of Canterbury, deceased, and also that they are guardians to Mary Davenport, a minor daughter to said deceas'd, and that the said Mary has had the small-pox to that degree that she has lost her eye-sight, and that the charges &c. expended for the said Mary while she had the small-pox and since amounts to the sum of £25 4 2, L. money, and that there is no personal estate belonging to said Mary to pay said sum but only seven acres and one hundred rods of land; praying this Assembly for liberty to sell so much of said land as to pay said sum: Resolved by this Assembly, that the said memorialists have liberty and they are hereby impowered, to sell so much of said land as to pay said sum with the necessary charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

Upon the memorial of William Sheffield, of Mendon in the county of Worcester and Province of the Massachusetts Bay, administrator on the estate of Elizabeth Blanchard, widow, late of Holiston in the Province of the Massachusetts Bay, deceased, shewing to this Assembly that the said Elizabeth died seized of some real estate lying in Killingly in the county of Windham and in the district of the court of probate of Plainfield, and that the said Elizabeth had no real estate in the Province of the Massachusetts Bay, and also that the debts, charges &c. due from said estate surmount the personal estate of said deceased the sum of £51 13 6, L. money; praying for liberty to sell so much of said real estate as to pay said sum with the necessary charges arising thereon: Resolved by this Assembly, that the said William Sheffield have liberty and he is hereby impowered, to sell so much of said real estate as to

pay the sum of £51 13 6, lawful money, with the necessary charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

Upon the memorial of Daniel Lyman and Samuel Bishop jun., both of New Haven, representing that pursuant to an act of this Assembly passed in October, 1762, they as representatives of the town of New Haven received of the committee appointed by this Assembly to distribute certain bonds given for [50] the purchase of lands in the township of || Norfolk, which by virtue of an act of this Assembly passed in May, 1733, belonged to the several towns and societies in this Colony who made and computed a list in the year 1732, for the use of schools, and that they, the memorialists, now have in their hands the proportion of said bonds which belong to the several societies in the town of New Haven, and that a dispute hath arisen between the present first society in New Haven and the society of White Haven concerning the property of the proportion of said bonds which belonged to the ancient first society in said New Haven, and praying the advice and direction of this Assembly therein: Resolved by this Assembly, that the proportion of said bonds which did belong to the ancient first society in New Haven and are now in the memorialists' hands to be distributed as aforesaid, do belong to the present first society in New Haven and White Haven society in equal proportion; and the memorialists are hereby directed to deliver a moiety thereof to each of the school committees of said societies respectively, to be by them held, used and improved for the use of the respective schools in said societies; taking said school committees' receipts for the same.

Whereas on the memorial of Colo. Benjamin Hinman, one of the inhabitants of the society of Southbury in the town of Woodbury, and the rest of the inhabitants of said society, representing that said society have had two committees appointed by the county court for the county of Litchfield to affix a place for building a meeting-house in said society, which said committees did affix two places, the last of which places was in the highway at a place called Crook Horn Brook, which was established by said county court; that since the affixing said place some things have intervened which renders the same inconvenient; praying for a committee to be appointed to view, hear, and affix a place as will be most convenient for said purpose: this Assembly in May last appointed Jabez Hamlin, William Wolcott and William Pitkin jun., Esq^rs, a committee to view the circumstances of said society, hear all parties, and affix a place for the building said house, which committee have viewed

said society and largely heard all parties concerned, have reported to this Assembly that they have affixed a stake to be included within the compass of said meeting-house in the street, about forty rods southerly of the stake affixed by the last committee appointed by said county court as abovesaid, which they judge is the most convenient place to build a meeting-house to accommodate said inhabitants; which report is approved and accepted by this Assembly: And it is thereupon resolved by this Assembly, that the said place affixed by the committee appointed by this Assembly as aforesaid be and the same is hereby affixed and established as the place for building a meeting-house for said society.

Upon the memorial of Josiah Rogers, one of the inhabitants of the society of Norford in the county of New Haven, and the rest of the inhabitants of said society, representing that soon after the making of said society a number of the inhabitants of the first society in Wallingford living on farms contiguous to said society, on their application to the General Assembly for that purpose, were annexed to said society; that the meeting-house in said society were placed with equal regard to said annexed inhabitants as well as the inhabitants of said society; that said annexed inhabitants make one fifth part of said society in the list, and that the taking of such a quantity of the list of said society as the said annexed inhabitants make would greatly weaken said society and render them unable to fulfill their ministerial contracts and support the charges of the gospel in said society; that difficulties have arisen and are likely still to arise in said society by the assigns or heirs of said annexed inhabitants refusing to pay rates in said society; praying that said lands on which said annexed inhabitants did live when they made said application and which were contiguous to said Norford society and conveniently situate to said society might be annexed and made part of said society: Resolved by this Assembly, that Samuel Sacket, Thos Darling and John Fowler, Esqrs, be a committee, and they are hereby appointed a committee of this Assembly, to view said lands and the circumstances of said Norford society, and to report to the General Assembly in May next what they shall find in the matters alledged in said memorial, and their opinion thereon.

Upon the memorial of John Williams, executor to the last will and testament of Colo. John Williams, late of Stoningtown in the county of New London, deceased, shewing to this Assembly that said deceased was largely indebted at the time of his death; that the provision made by the said deceased for

the discharge of said debts is found insufficient for that purpose ; that there is nothing to pay and satisfy said debts but only the estate specifically disposed of to the children and grandchildren of said deceased ; praying for relief &c., as per memorial on file &c. : Resolved by this Assembly, that Hezekiah Huntington, Esq^r, and Doct. Daniel Lothrop, both of Norwich, and Nathaniel Brown, Esq^r, of Preston, be and they are hereby appointed a committee to enquire and examine into the disposition of the whole estate of said deceased to and among his children and grandchildren by will, deed of gift or otherwise given. Said committee are hereby directed to give proper notice to said children and grandchildren to whom the said deceased disposed of any of his estate, and hear them fully on the matters relative to such disposition. Said committee are to enquire to what sum said remaining debts amount, and also consider all attending circumstances and determine who of said children and grandchildren or whether all ought in equity to contribute to the payment of the same, and in what proportion it ought to be done by each of them respectively, and report with their opinion thereon to this Assembly at their next sessions accordingly.

[51] Upon the memorial of Jacob Hinsdale and Ann Peck, of Harwinton in the district of Litchfield, executors of the last will and testament of Jacob Peck late of said Harwinton, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate of the said deceased and a former account allowed the sum of £78 14 0 2, L. money, and that there is no provision made in the said will to make sale of the real estate of the said deceased to answer and pay the debts due from the said estate ; praying for liberty &c., as per memorial on file : Resolved by this Assembly, that the said memorialists have liberty and they are hereby impowered, to make sale of so much of the real estate of the said deceased as to answer and pay the said sum of £78 14 0 2 with the incident charges on said sale arising ; taking the advice of the court of probate in the district of Litchfield therein.

Whereas this Assembly in their sessions at Hartford in May last appointed Messrs. Daniel Lyman, Roger Sherman and Samuel Bishop jun., all of New Haven, a committee to repair to and view the circumstances of those persons living within the limits granted to Joseph Atkins and others, partly in Farmington and partly in Waterbury, for preaching among them for five months in the year &c., and to report to this Assembly their doings &c., and the said committee having

undertook the trust and viewed said inhabitants and said limits, but being not able to proceed so far as to make their report, and the parties being desirous of having said committee go on and finish the business for which they are appointed: Resolved by this Assembly, that said committee have power and they are hereby authorized, to proceed upon the said business and affair for which they were first appointed, and make report to the General Assembly in May next.

On the memorial of Gershom Scott and Eleazer Scott, executors of the last will of Daniel Scott late of Waterbury, deceased, shewing to this Assembly that since the General Assembly in October, A.D. 1762, there hath further debts of the said deceased appeared to the amount of £11 7 1 over and above what they had liberty to sell land for at said Assembly, and that said testator had made no provision in his said last will for the payment of debts, and there being no moveables in their hands; therefore praying this Assembly for liberty to sell so much of the land of said deceased as to pay said sum with incident charges &c.: Resolved by this Assembly, that said executors have liberty, and liberty is hereby granted, that they sell so much of the land of the said deceased as to pay the said sum of £11 7 1 with incident charges arising on said sale; taking direction of the court of probates in the district of Woodbury therein.

Upon the memorial of Tom Sherman and Eunice Shoran his wife, and Sarah Shoran, Indians belonging to Pequanock in Stratford in Fairfield county, representing and complaining to this Assembly that by order of the General Assembly of this Colony held at Hartford in March, A.D. 165$\frac{8}{9}$, there was purchased by the town of Fairfield a certain tract of land lying in said Stratford and laid out by order of said Assembly to the Indians living in Pequanock and to their heirs, which lands is bounded easterly on Pequanock River, so called, southerly on lands of the heirs of Joseph Booth, deceased, and Ezra Kirtland, westerly on land of said Kirtland, Zebulon Wakely and the heirs of Ebenezer Grigory, deceased, northerly on land of Andrew Sherwood, Stephen Stirling, the aforesaid Joseph Booth heirs, the heirs Hezekiah Treadwell, deceased, and Jabez Summers; also representing that the said Eunice and Sarah are the heirs of those Indians to whom said lands were laid out, and that they and those Indians whose heirs they are have always quietly enjoyed said lands till within a few years last past Gamaliel French, widow Sarah Booth, Elihu Burret, Joseph Booth, Mary Burret, the

Reverend Robert Ross, Ezra Kirtland, Aaron Hawley and Samuel Porter, all of said Stratford, and Daniel Morriss, John Burr jun. and Richard Hall, all of Fairfield, have entirely ejected and put the memorialists out of the whole of said lands and pulled down their wigwam without right; praying that a committee may be appointed to repair to and view said lands with the limits and boundaries thereof, and to enquire into all things concerning said lands, and hear all parties concerned, and their report to make of what they shall find, and that some proper person may be appointed as a guardian to the memorialists; as per memorial on file appears: Resolved by this Assembly, that Jabez Hamlin, Benjamin Hall and Robert Treat, Esq^rs, be and they are hereby appointed a committee to enquire into the matters aforesaid and all the matters in said memorial alledged, and all circumstances relative thereto, and hear all parties concerned, and to repair to and view said lands with the limits and boundaries thereof, and their report to make to the General Assembly to be held in Hartford in May next of what they shall find, with their opinion of the best and fittest measures to be pursued for finally ending and preventing all disputes and controversies concerning said lands. And it is also further resolved by this Assembly, that Thomas Hill, Esq^r, of Fairfield, be and he is hereby appointed guardian over the memorialists, with full power and authority to do and transact all things relating to said Indians and the conduct and future management of their affairs.

Upon the memorial of Eunice Beardslee, of Stratford in Fairfield county, executrix of the last will and testament of Samuel Beardslee late of said Stratford, deceased, representing that the debts due from the estate of the said deceased do surmount the whole personal estate of said deceased sixty-five pounds sixteen shillings nine pence three farthings lawful money, that the land appointed by the will of the said deceased to be sold for the payment of his debts hath been disposed of for £40 0 0, lawful money, and no more, that there remains due from said estate the sum of £25 16 9¾, and that nothing remains in her hands for satisfying the [52] same: || Resolved by this Assembly, that the said Eunice Beardslee be impowered and she is hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to raise the said sum of twenty-five pounds sixteen shillings and nine pence three farthings, L. money, together with the incident charges; attending therein the orders and directions of the court of probate for the district of Fairfield.

Upon the memorial of Joseph Beacher junr, administrator on the estate of Thos Alling late of New Haven, deceased, representing that the debts due from said estate, with some allowances to the widow, surmount the moveable part of said estate the sum of £61 8 3½ lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum and charge, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge; taking the direction of the court of probate for the district of New Haven therein.

On the memorial of Joel Dibble, of Goshen in Litchfield county, shewing to this Assembly that he was a private soldier in the service of this Colony in the year 1755, and whilst he was in actual service near Fort Edward was taken captive by the enemy and carried captive to Canada, and there continued a captive about five years, and then returned home, poor and almost naked; and that when he was taken captive he received sundry grievous wounds, of which he is not cured nor is ever like to obtain a cure, by which means he is unable to endure hard labour, the only method he has to support himself; as per memorial on file &c.: Resolved by this Assembly, that the Treasurer of this Colony be ordered, and he is hereby ordered and directed, to pay out of said treasury unto Capt. Moses Lyman of said Goshen, for the use of Joel Dibble, the sum of twenty-five pounds money or bills of this Colony, who is hereby ordered and impowered to use said sum according to his discretion for the comfort and support of the said Dibble.

Upon the memorial of Ezekiel Griswold and Joel Griswold, administrators on the estate of David Griswold late of Windsor, deceased, shewing to this Assembly that the debts due from said estate exceeds the personal estate the sum of £91 4 1½, L. money; praying for liberty to sell so much of said real estate as to raise said sum with the incident charges &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialists have liberty and they are fully impowered, to sell so much of said real estate as to procure said sum of £91 4 1½ lawful money with incident charges arising on such sale; taking the direction of the court of probates for the district of Hartford therein.

Upon the memorial of Elisha Brocket, of Wallingford in the county of New Haven, administrator (*cum testamento*

annexo) of the goods and estate of David Brocket late of said Wallingford, deceased, representing that the debts and charge allowed by the court of probate in the district of New Haven against the estate of said deceased surmount the whole moveable inventoried estate the sum of £28 13 11, L. money, for the payment whereof no provision is made by the last will of said deceased; praying for liberty to sell lands &c.: Resolved by this Assembly, that the said Elisha Brocket have liberty to sell so much of the lands belonging to the estate of the said deceased as shall be sufficient to answer the said sum of £28 13*s.* 11*d.* lawful money, and incident charges; attending therein the orders of the court of probate for the district of New Haven.

Upon the memorial of John Read of Fairfield, representing to this Assembly that one Warrups Chickens, an Indian at Reading parish within said Fairfield, was taken sick in the beginning of December, 1762, under distressing circumstances applied himself to said Read for assistance, doctors &c., who at the request of said Warrups procured doctors and supplied him with provisions until his death &c., all to the amount of £11 11*s.* 5*d.* L. money, the said Warrups leaving no personal estate wherewith to satisfy said sum &c.; praying that so much of the said Warrups' farm at Scatacook may be sold as is sufficient to pay said sum and the incident charges arising on such sale, as per memorial on file: Resolved by this Assembly, that Ephraim Hubbel, Esq^{r}, of New Fairfield have liberty, and liberty and authority is hereby granted to him, to sell so much of said Warrups' farm at Scatacook as shall be sufficient to pay and answer said sum of £11 11 5 and incident charges arising on such sale, for the use and benefit of said Read; the same to be paid over to said Read by said Hubbel.

Upon the memorial of David Wardwell and Abigail Wardwell, administrators on the estate of Jonathan Dickenson late of Summers, deceased, shewing to this Assembly that the debts and charges and allowances due from the estate of said deceased surmounts the personal inventoried estate of said deceased £55 1 1, L. money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of said deceased as to raise the aforesaid sum of £55 1 1, L. money, for the payment of said debts, together with the incident charges arising on said sale;

taking the direction of the court of probates for the district of Stafford therein.

[53] Upon the memorial of Ephraim Clough, of Stafford in Hartford county, administrator on the estate of John Clough late of said Stafford, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said deceased surmount the personal inventoried estate of said deceased the sum of £11 4 3 lawful money, and thereupon praying to be impowered to sell so much of the real estate of said deceased as may be sufficient to raise said sum and the charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as may be sufficient to raise said sum and the incident charges arising on such sale: taking the direction of the court of probate for the district of Stafford therein.

Upon the memorial of Anna Warren and John Eaton junr, of Killinglee in the county of Windham, administrators on the estate of Joseph Warren late of said Killingslee, deceased, representing that the debts, with some allowance to the widow of said deceased, surmount the moveable part of said estate the sum of £100 6 3 lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of such sale, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted unto them, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charge of such sale; taking the direction of the court of probate for the district of Plainfield therein.

Upon the memorial of Thomas Milner and Abigail Milner, both of Norwich, administrators on the estate of Samuel Milner late of said Norwich, deceased, representing to this Assembly that the debts due from said deceased surmount the inventoried personal estate of said deceased the sum of £99 10*s*. 11*d*. lawful money, and praying liberty of this Assembly to make sale of so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum and incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that said administrators have liberty, and liberty and power is hereby granted unto them, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £99 10 11 and inci-

dent charges arising thereon; they taking directions of the court of probate for the district of Norwich therein.

Upon the memorial of Constant Crocker, administrator on the estate of Elihu Crocker late of New London, deceased, shewing that the debts and charges arising on said estate amount £82 0 2*d*., and surmount the personal estate of said deceased the sum of £59 18 11; praying liberty to sell so much of the real estate of said deceased as to raise and pay said sum with the charge arising on said sale &c.: Resolved by this Assembly, that liberty be granted, and said administrator with Mr. William Douglass of said New London is hereby impowered, to make sale of so much of the real estate of said deceased as shall raise said sum of £59 18 11 with the charge arising on said sale, for the payment of said debts; taking the advice of the court of probate for the district of New London in said sale.

Upon the memorial of Ruth Clark, administratrix on the estate of Isaac Clark, late of Windsor in the parish of Ellington, deceased, shewing to this Assembly that the debts due from said estate exceed the personal estate the sum of £32 4 8 lawful money; praying for liberty to sell so much of said deceased's real estate as to raise said sum with incident charges &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty and she is fully impowered, to sell so much of said deceased's real estate as to procure said sum of £32 4 8, L. money, with incident charges arising on such sale; taking the direction of the court of probate for the district of Stafford therein.

Upon the memorial of Sarah Easton, administratrix on the estate of Samuel Easton of Hartford, deceased, shewing to this Assembly that the debts due from said deceased's estate exceed the personal estate the sum of £71 10 5¼ lawful money; praying for liberty to sell so much of said deceased's real estate as to procure said sum with incident charges &c., as per said memorial on file: Resolved by this Assembly, that the memorialist have liberty and she is fully impowered, to make sale of so much of said deceased's real estate as to procure said sum of £71 10 5¼ lawful money, with incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Ezekiel Minor, administrator on the estate of Samuel Beckwith late of Lyme, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the

sum of £72 19 1, L. money; praying for liberty to make sale of so much of the real estate of the said deceased as shall be sufficient to raise and pay the aforesaid sum of £72 19 1, with the incident charges arising on such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell and convey so much of the real estate of said deceased as shall raise the sum of £72 19 1, L. money, together with the incident charges arising on such sale; taking the direction of the court of probate within and for the district of New London therein.

[54] Upon the memorial of William Rockwell of Midletown, executor of the last will and testament of Stephen Blake late of said Midletown, deceased, shewing to this Assembly that the debts, charges and allowances due from the estate of said deceased surmount the personal estate of said deceased the sum of £42 2 4, L. money, and that no provision was made in said will for the payment thereof; praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £42 2 4, together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Midletown therein.

Upon the memorial of Peter Rice, administrator on the estate of Zadock Hays late of Symsbury, deceased, representing to this Assembly that the debts and charges due from said estate surmount the moveable part of said estate the sum of £30 17 10 lawful money; praying for liberty to sell so much of said estate as shall be sufficient to pay said sum together with the charge of such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of such sale; taking the direction of the court of probate for the district of Hartford therein.

Whereas upon the memorial of Abigail Hubbel of Fairfield, preferred to the General Assembly at New Haven in October last, representing that her late husband, Samuel Hubbel, was a captain of a company in this Colony's service in the year 1760, as he had also been in the year 1759 and 1758, and that it had been his custom during said campaigns to supply the wants of the sick and necessitous soldiers with things comfortable &c., and carefully charging the same to

their accounts: that in said last campaign he carried with him for said purpose more than £100 0 0, L. money, which he had received out of the Colony treasury to account for, and during said campaign sickened and died of the small-pox, in consequence whereof it happened that all his cloaths, monies, papers, accounts &c. were irrecoverably lost: that it thereby came to pass that the memorialist was rendered altogether unable to shew the said monies to have been applied and used in relieving his soldiers as was proposed, tho' the said Abigail verily believes the same to have been so expended, and thereupon praying a committee might be appointed to enquire into said affair and thereon report their opinion &c.: And whereas Andrew Burr and David Rowland, Esq^rs, being by said General Assembly appointed a committee to said purpose, and shewing to the General Assembly in May last themselves to be unready at that time to make their report were again at said May sessions reappointed to the same purpose, and to report to this present Assembly: And whereas they, the said committee, to this Assembly make report as follows, *viz:* that having enquired into the matters in said memorial contained and examined the evidence relative thereto, they find it to have been his, said Capt. Hubbel's, practice annually during such his service to carry with him considerable sums of money and the same use to the relief of his soldiers as abovesaid, and of the same in certain memorandum books to make entries, and especially that in said campaign, 1760, about the time of his leaving home he had a considerable sum in bills of this Colony, which he declared his intent to sundry persons to carry with him to the aforesaid purpose; that about the beginning of his marching homeward, and till after his beginning to be unwell, he remained actually possest of a large quantity of said bills, but a few days before his death, and that on enquiry made, soon after his decease, no paper bills or book of accounts were to be found; and that they, said committee, are of opinion that said deceased did in fact carry monies with him and with parcel thereof occasionally supply his necessitous soldiers, and that such remainder thereof as he died possessed of with his said books and papers was soon after by some unknown hand taken away; as by said report on file: It is thereupon resolved, that the memorialist on the final settlement of the said Capt. Hubbel's account with the Colony Treasurer relative to said campaign, 1760, shall be credited to the sum of fifty pounds lawful money, on enquiry as abovesaid presumed to have been by said deceased made use of in relief of the troops of this Colony, and of further account thereof to render be hereafter excused.

Upon the memorial of Elihu Hall, Esq^r, of Wallingford, representing that a certain quantity of land which he bought of the Governor and Company of this Colony, per deed from their committee bearing date January 24th, 1755, lying on the west side Ousatunuck River annexed to the township of Kent, was under some incumbrances by reason of the entry of strangers thereon &c.; praying to have said deed lying unrecorded taken back by this Colony and his bond, given by him and Samuel Mansfield, for payment of the sum agreed to be paid for said land given up, being conditioned for the payment of £316 10 0 lawful money, now in the hands of Jared Ingersol, the Colony's agent in the county of New Haven for the purpose of suing out said bond: Resolved by this Assembly, that said deed shall and may be accepted and taken back of said Elihu Hall and said bond delivered up to him; and the said Jared Ingersol is hereby instructed and directed to deliver up said bond to said Elihu Hall, on his paying all such charges as have accrued in prosecuting an action on the same, and on his delivering up said deed unrecorded to and for the use of this Colony.

[55] Upon the memorial of Titus Hosmer of Midletown and George Hosmer of Hartford in Hartford county, executors of the last will and testament of Stephen Hosmer late of said Hartford, deceased, representing that the debts due from said deceased surmount the moveable estate of said deceased the sum of five hundred one pounds fifteen shillings and seven pence half-penny, lawful money, and that no provision is made by said last will for the sale of real estate of said deceased as shall satisfy said sum &c.; praying for liberty to sell so much of the real estate of said deceased as shall satisfy said sum: Whereupon it is resolved by this Assembly, that the said Titus Hosmer and George Hosmer be impowered and they are hereby impowered, to sell so much of the lands of the said deceased as shall satisfy said sum of £501 15 7½ lawful money, and incident charges; attending therein the orders and directions of the court of probate for the district of Hartford.

On the memorial of Robert Powers of Midletown, shewing to this Assembly that he inlisted into his Majesty's service in this Colony in Capt. Hierlihy's company and in Gen. Lyman's regiment in the year 1762, and on his passage to the Havannah was taken prisoner and confined, and on his returning in a cartel-ship was cast away and taken prisoner by the Spaniards and confined until the 27th of March last, and then brake prison, and after many more hardships got to Midletown by

the 6th of June last, and received pay of the Pay-Table until the 9th of December last, and no longer; praying he might have wages until his return, as per memorial on file: Resolved by this Assembly, that the said memorialist have six pounds, and six pounds is hereby granted him for his being detained by the King's enemies, and that the said Robert Powers be paid said sum out of the publick treasury of this Colony, the Treasurer taking his receipt therefor.

Upon the memorial of Patience Chamberlain, executrix of the last will and testament of Samuel Fuller late of Colchester, deceased, shewing to this Assembly that the deceased by said will ordered the sale of ten acres of land in order to pay his debt, and that she has sold said land and disposed of the money together with all the deceased's moveable estate for the payment of said debts of the said deceased, and the remaining estate of the deceased consisting only of real estate in divided equality between Hannah the wife of David Daniels, daughter to said deceased, and Elizabeth Williams, daughter of Lucy another daughter of the deceased, the only surviving heirs of said deceased, and that since the said distribution debts have been demanded against said estate and recovered to the amount of £18 13 0 lawful money; praying liberty to sell so much of the divided lands of the said deceased as shall be needful for the payment of said sum, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted her, to sell so much of the said real divided estate, in equal proportion, as to make the aforesaid sum of £18 13 0, L. money, together with the incident charges of sale; taking the direction of the court of probates for the district of East Haddam therein.

Upon the report of Shubael Conant, Jabez Fitch, Esq^{rs}, and Colo. William Pitkin, shewing to this Assembly that they were appointed at the sessions in October and May last, upon the memorial of Samuel Eastman of Ashford, to settle the line between Ashford and Union according to Farrar's Run, and pursuant to said appointment have performed said service, and now have reported that its their opinion that said Farrar's Line, so called, really and originally run from two chestnut trees, the southeast corner bounds of the town of Stafford, north 27 and ¼ degrees east one mile and half and 43 rods to a stake and stones in Ashford north line, from thence the same course till it meets with Union old line four miles and ninety rods to a stake and stones in said old line, from thence in said line north 6½ degrees east half a mile and fourteen rods to Union northwest corner to a heap of stones in South Brimfield south

line, and that they erected monuments in said line at the end of every 80 rods near a range of ancient marked trees: Resolved by this Assembly, that the abovesaid line, run by said committee as aforesaid, shall be and remain the dividing line between the said towns of Stafford and Union.

On the memorial of John Strong, of Lebanon in the county of Windham, shèwing to this Assembly that he was constable collector of the Colony tax for the town of Lebanon for the year 1758; that Capt. Joshua Barker, commander of a company of this Colony's troops in the campaign of said year, received an order from the Commitee of the Pay-Table on the Treasurer of this Colony for the sum of six hundred pounds in bills of this Colony, and that said order was by said Treasurer directed to him, said Strong, for payment out of said tax, and that thereupon he did in fact pay the full contents of said order in favour of said Barker, and did take up said order by him, said Barker, fully indorsed, and that before he had opportunity to return the same to said Treasurer he unfortunately lost it, and verily believes the same to be utterly consumed and destroyed; further shewing the said Treasurer and auditors of the Colony accounts upon application to them made for that purpose, decline giving him credit for said sum paid as above, fearing whether it be consistent with their oath: praying for relief in the premises &c., as per memorial on file: This Assembly, being satisfied of the truth and reality of the facts as therein set forth, do resolve and order, that said Treasurer credit and discharge said Strong for and from said sum of £600 0 0 payable by him and paid as aforesaid, and that said auditors allow and account with said Treasurer for said sum in the same manner as if said order had been returned to him fully indorsed by said Barker as aforesaid.

[56] Upon the memorial of Joshua Holcomb, conservator of the person and estate of Silas Griffin of Symsbury, representing that he had expended in the support and maintenance of said Silas Griffen the sum of £26 17 4; praying for liberty to sell so much of the real estate of said Griffen as shall be sufficient to pay said sum together with the charge of such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby given him, to make sale of so much of the real estate of said Griffen as shall be sufficient to pay said sum together with the charge of such sale, and make return of his doings unto the county court in the county of Hartford.

This Assembly grants to his Honor the Governor the sum of £150 0 0, for his salary the last half of the current year,

and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to his Honor the Deputy Governor the sum of £50 0*s.* 0*d.*, for his salary the last half of the current year, and the Treasurer of this Colony is ordered to pay the same accordingly.

Resolved by this Assembly, That his Honor the Governor be desired to direct Joseph Talcott, Esq^r^, Treasurer of this Colony, to attend this Assembly on the 31st instant, with a sufficient sum in bills of credit of this Colony to pay the debenture of the members of this Assembly.

Whereas there is a considerable variance between the returns of the number of soldiers raised by this Colony in the year 1761, transmitted to England by his Excellency General Amherst and the authenticated pay-rolls of said soldiers exhibited to the Pay-Table at Hartford in the same year: It is therefore resolved by this Assembly, that his Honor the Governor be desired to send one of the members of this Assembly to John Ledyard, Esq^r^, of Hartford, and Major Hierlehy of Midletown, and signifie to them that this Assembly desires and expects their attendance here as soon as may be, with the pay-rolls, weekly returns, and all other exhibits in their custody necessary to discover the reason of the aforesaid variance.

The Committee of the Pay-Table having had very large accounts of supplies for the hospitals at the Havannah and Crown Point in the year 1762, laid before them for adjustment by Messrs. Bancroft, Pomroy &c., sutlers in said year, the settling of which by said committee being attended with great difficulties, they have desired the advice and direction of this Assembly therein: Therefore Andrew Burr, Jabez Hamlin, Esq^rs^, Mr. Daniel Lothrop, Colo. William Pitkin and Mr. Seth Wetmore are appointed to inspect said accounts and report their opinion concerning the propriety of the charges therein made, and what advice and direction may be proper for the Assembly to give respecting the same.

To the Hon^ble^ General Assembly of the Colony of Connecticut now sitting at New Haven:

We your Honors' committee appointed to inspect the accounts of Messrs. Pomeroy and Bancroft lately exhibited to the Committee of the Pay-Table and report our opinion concerning the propriety of the charges and what advice may be proper for the Assembly to give respecting the same, beg leave to rēport, that having examined said accounts and enquiring of the said Bancroft and Pomeroy relative to their

respective accounts, they informed us the articles were delivered for the use of the hospitals agreeable to orders from the Commander-in-Chief of our troops there, as by the direction of the director of the hospital; but as several articles are in large quantities, and they not being prepared to avouch their accounts at this time, our opinion is that they lay their accounts before the Committee of the Pay-Table, and upon their producing usual and proper evidence as to the delivery of such articles as aforesaid, they proceed to settle and adjust said accounts, making proper deduction for those articles delivered in large quantities and for all other articles overcharged or not found to have been justly charged, and give orders on the Treasurer for payment &c.

Signed per order, ANDREW BURR.

The foregoing report of the committee is accepted and approved by this Assembly.

On the petition of William Pitkin jun., Esq^{r}, of Harttord in the county of Hartford, *vs.* Benjamin Henshaw of Middletown in said county, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £3 7 10, *L. money. Ex. granted April 7th*, 1764.

On the petition of Ichabod Wetmore, of Midletown in the county of Hartford, *vs.* Samuel Lancelott, of Weathersfield in said county, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 5 0, *L. money. Ex. granted Nov. 2d*, 1763.

[57] On the petition of Timothy Parsons, of Durham in the county of New Haven, *vs.* Hezekiah Talcott of said Durham, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 14 8. *Ex. granted Nov. 2d*, 1763.

On the petition of Joseph Riggs and Mabel his wife, Daniel Tucker and Elizabeth his wife, and Peter Johnson jun. and Abigail his wife, all of Darby, *vs.* Daniel Humphry and Sarah Humphry of said Darby, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent* £1 12 8, *L. money. Ex. granted Nov. 3d*, 1763.

On the petition of John Landon, of Salisbury in Litchfield county, *vs.* Lewis Mills, of Kent in Litchfield county, as on

file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £2 17 2. *Ex. granted Nov.* 3*d*, 1763.

Upon the petition of Michael Judah, of Norwalk in the county of Fairfield, representing to this Assembly that he brought his writ of error, dated the 26th day of June, 1763, against Joseph Wheaton, of New Milford in the county of Litchfield, before the superior court holden at Litchfield on the last Tuesday save two of August, 1763, therein complaining and alledging that the said Joseph Wheaton brought his certain action against him before Bushnel Bostwick, Esq^r^, one of his Majesties justices of the peace in and for said county of Litchfield, on the 17th day of February, 1762, at said New Milford, by his certain writ dated the 6th day of February, 1762, which action in due course of law by legal removes came before the county court held at Litchfield within and for the county of Litchfield on the 4th Tuesday of April, 1762, which said action was continued from court to court and finally came to tryal at the adjourned county court held at Litchfield within and for the county of Litchfield on the first Tuesday of January, 1763, when the said court rendered judgment in said action in favour of said Wheaton against said Judah, and that the said adjourn'd county court in proceeding to and rendering judgment in said action in favour of said Wheaton against said Michael Judah manifestly erred and missed the law, for several reasons therein assigned, and that the said superior court in proceeding to and rendering judgment in said action that the said judgment of the said county court in said action was not erroneous manifestly erred and missed the law; and therein praying that the said judgment of said superior court in said action might be set aside and reversed, and that he might be allowed liberty of a new tryal in said case at the said superior court to be holden at said Litchfield on the last Tuesday save two of August, 1764, and that all costs follow the final judgment in said case, or otherwise grant relief &c., as by the petition on file may more fully appear: Resolved by this Assembly, that there is error in the said judgment of the said superior court referred to in the petition aforesaid as therein is alledged and complained of, and that the same judgment be reversed and the petitioner be restored to the damages he hath sustained by means of said erroneous judgment, which are £11 19 8, and that execution be granted therefor by the Secretary. *Ex. granted Nov. 4th*, 1763.

Upon the memorial of Joseph Holt and Elizabeth his wife, both of Wallingford in the county of New Haven, administrators (the said Joseph in right of his said wife) of the goods and estate of Daniel Morriss late of said Wallingford, deceased, *vs.* Timothy Page and Joanna his wife and Deborah Marwin, all of said Wallingford, as on file: The question was put, whether the prayer of the said memorial should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 4 4. *Ex. granted Nov. 3d*, 1763.

Upon the petition of Joshua Raymond jun., of New London in the county of New London, *vs.* Samuel Avery, of Groton in said county, and John Hawkins of said New London, as on file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent* £3 10 0. *Ex. granted Nov. 2d*, 1763.

Cost taxed and allowed to James Mitchel, of Weathersfield in the county of Hartford, for attendance &c. to answer the petition of Thomas Belding &c. of Weathersfield aforesaid, preferred to this Assembly and by the petitioners withdrawn, is £7 13 0. *Ex. granted Dec. 22d*, 1763.

Cost taxed and allowed John Pierce, of Litchfield in the county of Litchfield, and Ruth Patterson, of Farmington in the county of Hartford, executors of the last will and testament of John Patterson of Farmington, late deceased, for attendance &c. to answer the petition of Samuel Cole of said Weathersfield, preferred to this Assembly and by the petitioner withdrawn, is £3 0 3.

The gentlemen nominated by the freemen of this Colony to stand for Election in May, 1764, *viz:* The Hon^ble^ Thomas Fitch, Esq^r^, the Hon^ble^ William Pitkin, Esq^r^, Ebenezer Silliman, Esq^r^, Jonathan Trumble, Esq^r^, Hezekiah Huntington, Esq^r^, Andrew Burr, Esq^r^, John Chester, Esq^r^, Benjamin Hall, Esq^r^, Daniel Edwards, Esq^r^, Jabez Hamlin, Esq^r^, Mathew Griswold, Esq^r^, Shubael Conant, Esq^r^, Elisha Sheldon, Esq^r^, Eliphalet Dyer, Esq^r^, Phineas Lyman, Esq^r^, Capt. Jabez Huntington, Mr. Roger Sherman, Colo. Robert Walker, Colo. William Pitkin, Mr. David Rowland.

[58] The Sums Total of the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns in this Colony hereafter ment oned sent in to this Assembly are as follow, viz:

Hartford,	£38916	10	3	New Haven	£55425	12	3
New London,	33683	12	9	Fairfield,	59605	1	6
Norwich,	57504	14	3	Windham,	27244	10	2
Litchfield,	15135	16	6	Stamford,	30011	8	5

New Hartford,	5693	2	0	New Milford,	18673	18	8
Farmington,	49873	9	10	Colchester,	25035	12	0
Glastonbury,	14110	5	3	Newtown,	17497	19	11
Ridgefield,	14587	6	10	Coventry,	17405	10	5
Hadham,	13825	1	0	Salisbury,	11940	14	6
Milford,	27155	7	4	Sharon,	10898	16	10
Branford,	22566	19	10	Killingly,	22117	11	0
Cornwal,	5866	16	0	Stafford,	7643	11	0
Lyme,	24324	5	10	East Hadham,	22965	15	0
Wellington,	6222	18	0	Tolland,	11060	17	6
Saybrook,	21781	12	9	Danbury,	21764	0	0
Killingworth,	17033	3	8	Durham,	10329	1	8
Waterbury,	25304	10	4	Hebron,	19042	8	0
Suffield,	17867	13	0	Preston,	21349	10	9
Mansfield,	17238	6	6	Woodbury,	41109	7	7
Midletown,	52373	5	0	Lebanon,	37144	9	6
Wallingford,	43841	13	5	Windsor,	42690	15	0
Voluntown,	10305	10	0	Groton,	23544	4	1½
Sommers,	7062	1	0	Bolton,	9075	13	0
Enfield,	10009	5	0	Woodstock,	17600	0	0
Derby,	13398	2	0	Pomfret,	22037	7	6
Harwinton,	5421	3	6	Canterbury,	16611	11	3
Plainfield,	12600	0	0	Stratford,	43864	0	0
Guilford,	32882	2	4½	Stonington,	32132	9	3
Canaan,	11356	8	0	Kent,	12700	0	0
Weathersfield,	29665	16	5	Norwalk,	37356	17	3½
Symsbury,	23802	18	0	Goshen,	8589	2	0
Greenwich,	19990	19	3	New Fairfield,	9479	2	9
Ashford,	12860	4	0	Torrington,			
				west side,	4074	19	0
				east side,	1633	4	0

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[59] *Anno Regni Regis Georgii tertii quarto.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF THE COLONY OF CONNECTICUT HOLDEN AT NEW HAVEN ON THE EIGHTHTEENTH DAY OF JANUARY, 1764, (BY SPECIAL ORDER OF THE GOVERNOR,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE TWENTY-FIRST OF SAID MONTH.

Present:

The Hon^ble^ Thomas Fitch, Esq^r^, *Governor.*

The Hon^ble^ William Pitkin, Esq^r^, *Deputy Governor.*

Ebenezer Silliman, Jabez Hamlin,
Jonathan Trumble, Mathew Griswold,
Hezekiah Huntington, Shubael Conant,
Benjamin Hall, Elisha Sheldon,
Daniel Edwards,
} Esq^rs^, *Assistants.*

Representatives or Deputies who attended this Assembly are as follow, viz:

[The names of the Representatives are not recorded.]

[60] An Act for repealing one Law of this Colony entituled An Act for Relief of Insolvent Debtors, who are willing to make Discovery of and deliver upon Oath their Estates to their Creditors' Benefit, and to release such Debtors from Imprisonment.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the aforesaid act be repealed, and the same is hereby repealed and made void in every part and paragraph thereof.

Provided notwithstanding, That where any insolvent debtor hath agreeable to said act preferred a petition and the judges of the superior court have proceeded thereon so far as to appoint assignees and direct an assignment of such debtor's estate to be made, and the same being actually made, such assignees shall proceed with, dispose and divide such estate according to the directions in said act given and to be under [61] the regulations || thereof respecting their conduct in that behalf, and such debtor to be dealt with and disposed of, and to have and receive the same benefit as he might have done had said act continued and been in force.

This Assembly do appoint David Rowland, Esq^{r}, to be Judge of the Court of Probate in and for the district of Fairfield until the first day of June next.

Upon the memorial of Rachel Hibbard, administratrix on the estate of Isaac Hibbard late of Woodbury, deceased, shewing to this Assembly that the debts and charges exhibited against said estate and allowed surmount the moveable part of said estate the sum of £39 19 5, and praying for liberty to make sale of so much of the real estate as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to make sale of so much of the said real estate as to make said sum of £39 19 5 lawful money, with the incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of David Austin of New Haven, guardian to Punderson Austin, a minor, representing to this Assembly that David Austin, father of said minor, died in the year 1759, intestate, soon after said Punderson entered a student at Yale College, and said memorialist was appointed guardian to said Punderson, whose portion in the estate of his father being chiefly in lands, that said minor continued in college until he took his degree in the year 1762, and that he is in debt for his necessary charges during said term £130, and

that it is necessary said sum be speedily paid, said minor having about 15 acres of land in the Yorkshire Quarter, so called, which said memorialist could sell for the full value thereof; praying this Assembly to impower him to sell said land and improve the money for the payment of said debt, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell said land and improve the money raised by the sale thereof to pay said debt, and account therefor with said minor when he shall arrive unto the age of twenty-one years.

Upon the memorial of David Wardwell, of Sommers in Hartford county, administrator on the estate of Samuel Wardwell late of said Sommers, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, and allowed by the court of probate for the district of Stafford, surmount the inventoried personal estate of said deceased the sum of £36 19 8 lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him, to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £36 19 8 with the incident charges arising thereon; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Thomas Wildman jun. and Comfort Hoit, both of Danbury in Fairfield county, administrators upon the estate of Joseph Wildman late of said Danbury, deceased, shewing to this Assembly that the debts and charges on said estate allowed by the court of probate for the district of Danbury surmounts the personal estate the sum of £594 7 6, L. money; praying for liberty to sell so much of the real estate as to pay said sum together with the incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, to sell so much of the real estate of said deceased as to raise said sum of £594 7 6, L. money, with the incident charges arising on such sale; taking the direction of the court of probate for the district of Danbury therein.

Upon the memorial of Martha Slaughter, of New Haven in New Haven county, shewing to this Assembly that at the superior court held at New Haven in February, 1763, David Slaughter, her husband, was convicted of the crime of burglary and received the punishment due thereto, and stood com-

mitted until the cost arisen in said prosecution should be answered, and that the said Slaughter thereupon, in order to procure his release from imprisonment, made over, conveyed [62] and granted unto the sheriff of New Haven || county a small piece of land in said New Haven, containing one quarter of an acre, having a small house thereon; praying that the said sheriff might be directed to make over and convey the said house and land to her for her own use, or that the same may be leased to her during the pleasure of this Assembly; as by said memorial on file: Resolved by this Assembly, that the sheriff of New Haven county be directed, and he is hereby directed, to convey said house and land by a proper deed thereof to the Governor and Company of this Colony, and cause the same to be entered on the records of the town of New Haven as soon as conveniently may be. And also granted, that the memorialist have the use and improvement of said house and land for the term of four years next after the day of the session of this Assembly.

It being now reported by the committee by this Assembly appointed to take into consideration two letters from the Right Hon^ble^ the Earl of Halifax and his Excellency General Gage, touching the raising troops for defence against the savages &c., that (for reasons in such report contained) it is not expedient at present to proceed to raise troops for that purpose, which report this Assembly having accepted, do thereupon refer the further consideration of the contents of said letters to the second Thurday in March next, at Hartford, to which time and place it is now resolved that this Assembly be adjourned.*

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[63] *Anno Regni Regis Georgii tertii quarto.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF THE COLONY OF CONNECTICUT HOLDEN AT HARTFORD BY ADJOURNMENT ON THE EIGHTH DAY OF MARCH, 1764.

Present:

The Hon^ble^ Thomas Fitch, Esq^r^, *Governor.*
The Hon^ble^ William Pitkin, Esq^r^, *Deputy Governor.*

Ebenezer Silliman,	Benjamin Hall,	Esq^rs^, *Assistants.*
Jonathan Trumble,	Daniel Edwards,	
Hezekiah Huntington,	Jabez Hamlin,	
John Chester,	Mathew Griswold.	

* The Report is in *War*, X, 194.

Representatives or Deputies who attended this Assembly are as follow:

Hartford, Colo. Sam. Talcott, Colo. William Pitkin.
New Haven, Mr. Daniel Lyman, Mr. Samuel Bishop.
New London, Mr. William Hillhouse.
Fairfield, Mr. David Rowland.
Windham, Mr. Samuel Gray, Colo. Eleazer Fitch.
Litchfield, Colo. Ebenezer Marsh, Capt. Isaac Baldwin.
Norwich, Capt. Jabez Huntington, Mr. Daniel Lothrop.
Stamford, Colo. Jonathan Hait, Mr. Abraham Davenport.
New Hartford, Capt. Isaac Kellogg, Capt. Mathew Gillit.
New Milford, Mr. Bushnel Bostwick, Mr. Nathan Gaylord.
Farmington, Mr. John Strong, Mr. Solomon Whitman.
Colchester, Mr. Daniel Foot, Mr. John Hopson.
Glastonbury, Capt. Jonathan Hale, Mr. William Welles.
New Town, Mr. Abel Booth, Capt. Henry Glover.
Coventry, Mr. Joseph Strong jun., Mr. Phineas Strong.
Haddam, Mr. Hezekiah Brainerd.
Salisbury, Mr. John Everts, Capt. James Landon.
Milford, Mr. Robert Treat.
Sharon, Capt. John Williams, Mr. David Foster.
Branford, Mr. Josiah Rogers.
Killingly, Mr. Bryant Brown, Mr. William Danielson.
Cornwall, Mr. Joshua Pierce, Capt. Amos Johnson.
Stafford, Capt. Isaac Pinney, Mr. Samuel Davis.
Lyme, Mr. John Lay 2d, Mr. Samuel Selden.
East Haddam, Capt. Christopher Holms.
Wellington, Mr. Moses Holms, Mr. Abner Barker.
Toland, Capt. Zebulon West, Capt. Joshua Wills.
Saybrook, Mr. John Shipman, Capt. John Murdock.
Danbury, Mr. Samuel Taylor.
Killenworth, Mr. Theophilus Morgan.
Durham, Colo. Elihu Chauncey, Capt. James Wadsworth.
Waterbury, Mr. Ephriam Warner, Mr. Stephen Upson jun.
Hebron, Mr. Benjamin Buel.
Suffield, Capt. Sam[l] Kent jun., Mr. William King.
Preston, Mr. Simon Brewster, Mr. Timothy Lester.
Mansfield, Major Joseph Storrs.
Woodbury, Mr. Daniel Sherman, Capt. Increase Mosely.
[64] Midletown, Mr. Seth Wetmore, Mr. Mathew Talcott.
Lebanon, Capt. Joshua West, Mr. William Williams.
Wallingford, Mr. Charles Whittlesey, Capt. Sam[l] Hulls.
Windsor, Capt. Josiah Bissell, Mr. Mathew Rockwell.
Voluntown, Mr. John Gordon, Mr. Robert Jameson.
Groton, Capt. Eben[r] Avery, Capt. William Williams.

Somers, Mr. Seth Dwight.
Bolton, Mr. David Strong, Mr. Stephen Cone.
Endfield, Capt. Joseph Olmstead, Mr. Nath[l] Terry.
Woodstock, Mr. Ebenezer Smith jun.
Darby, Capt. Sam[l] Basset.
Pomfret, Colo. Ebenezer Williams, Mr. Samuel Craft.
Harwinton, Capt. Abijah Catling, Mr. Daniel Catling.
Canterbury, Capt. Jabez Fitch, Capt. Obadiah Johnson.
Plainfield, Capt. John Douglass, Capt. Isaac Coit.
Stratford, Colo. Robert Walker.
Guilford, Colo. Timothy Stone, Mr. Nathaniel Hill.
Stonington, Capt. Joseph Denison.
Canaan, Colo. David Whitney, Capt. Charles Burrell.
Kent, Mr. Cyrus Marsh, Capt. John Hitchcock.
Weathersfield, Capt. Thomas Belding, Capt. Elisha Williams.
Norwalk, Mr. Peter Lockwood.
Symsbury, Mr. Hezekiah Humphry, Capt. Jonathan Petibone.
Goshen, Capt. Moses Lyman, Capt. Samuel Nash.
Ashford, Mr. Amos Babcock, Mr. Ezra Smith.

Whereas his Honor the Governor hath laid before this Assembly a letter lately received from the Right Hon[ble] the Earl of Halifax, one of his Majesty's principal Secretaries of State, dated October 19th, 1763,* signifying his Majesty's pleasure relative to the insurrections of the Indian nations, and another from his Excellency Thomas Gage, Esq[r], Commander-in-Chief of his Majesties troops in America, demanding the number of five hundred men from this Colony to assist in carrying war into the Indian country, in order to punish the savages who have been guilty of perfidious and cruel massacres of the English: And altho' this Colony is not exposed by its situation, nor to be accounted most able by its circumstances, yet ready to yield obedience to his Majesty's commands and according to our ability promote his Majesty's service and contribute to the general purposes of defence and of annoyance of the savages, in order to put a speedy end to the great mischiefs occasioned by them:

This Assembly do therefore enact and resolve, and it is hereby enacted and resolved, That all necessary provision be made for levying, cloathing and paying two hundred and sixty-five able-bodied and effective men, officers included, to be raised by inlistment with all possible dispatch within this Colony, none to be inlisted who are not between twenty-one and fifty years of age, to march to such place or places in North America as his Majesty's Commander-in-Chief shall judge

* A copy is printed in *New Hampshire Provincial Papers*, vii, 28.

proper. That the said two hundred and sixty-five men, to be raised as aforesaid, shall be formed into one battalion and commanded by a field-officer of the rank of major, and to consist of five companies, and each company to consist of a [65] captain, two subalterns and fifty men. ‖ And the Governor or Commander-in-Chief is desired as soon as may be, to give orders to the several inlisting officers to raise by inlistments with the utmost dispatch the levies for the purpose aforesaid. And to induce both officers and men chearfully and speedily to engage and enlist in this service, this Assembly do resolve and grant, that each enlisting officer shall receive, for every able-bodied man by him enlisted who shall pass muster, the sum of five shillings as a reward for that service and expence therein; and that every able-bodied man, as well non-commisioned officer as private soldier, who shall voluntarily enlist for the service aforesaid and shall provide himself with suitable cloathing to the acceptance of the muster-master, shall on his being mustered be entituled to and receive four pounds in bills of this Colony. And for a further encouragement to both officers and soldiers, they and each of them shall receive a blanket and knapsack suitable for the service, and shall have one months pay advanced before they move out of this Colony.

And be it further enacted and resolved, That the pay of both officers and private soldiers shall be the same as was fixed and stated in the year 1762, according to the ranks they shall severally sustain: such pay to begin on the day of their engaging and enlisting in the service, and to continue during the time they shall continue therein; and that they shall be discharged as soon as his Majesty's service will admit, and not holden beyond the first day of November next. And his Honor the Governor is desired to issue his Proclamation for acquainting them with the several encouragements given for inducing men to engage and enter into this important service for their King and country.

And whereas a sum of money will be necessary for the purposes aforesaid, which the public treasury is in no wise (at present) able to supply,

Be it therefore further enacted, That there be forthwith imprinted the sum of seven thousand pounds in bills of credit on this Colony equal to lawful money, of suitable denominations from nine pence to forty shillings as the committee herein appointed shall direct, and of the same tenor of the late emissions of bills of credit of this Colony, with interest at £5 *per cent. per annum*, payable at or before the eighth

day of March, A.D. 1768, and dated the day of the sessions of the Assembly. And the Hon^ble^ William Pitkin, Esq^r^, John Chester, Daniel Edwards and George Wyllys, Esq^rs^, or any three of them, are appointed a committee for the purpose aforesaid, and to take care said bills be printed with all convenient speed, and to sign and deliver over the same to the Treasurer of this Colony, taking his receipt therefor. And the said committee shall be sworn to a faithful discharge of their said trust. And the said Treasurer is hereby directed to pay out all the aforesaid bills with the interest computed thereon according to the orders of this Assembly.

And for providing and establishing an ample and sufficient fund to call in and sink and discharge the aforesaid sum of seven thousand pounds, according to an act of Parliament made in the 24th year of his late Majesty's reign, intituled An act to regulate and restrain paper bills of credit in his Majesty's Colonies of Rhode Island and Providence Plantations, Connecticut, the Massachussetts Bay and New Hampshire, in America, and to prevent the same being legal tenderies in payment of money,

Be it enacted, That a tax of one penny three farthings on the pound be and is hereby granted and ordered to be levyed on all the polls and rateable estate in this Colony according to the list thereof to be brought in to this Assembly in October, A.D. 1766, with the additions; which shall be collected and paid into the treasury of this Colony by the last day of December, 1767; which tax may be discharged by paying the bills emitted by this act or lawful money, and no otherwise. And the Treasurer of this Colony is hereby ordered and directed, to send forth his warrants for collecting the aforesaid tax accordingly.

This Assembly doth appoint Israel Putnam, Esq^r^, to be Major of the forces now ordered to be raised in this Colony.

[66] This Assembly do appoint Israel Putnam Captain, Levi Welles 1st Lieutenant, Daniel Moulton 2d Lieutenant, of the first company.

Amos Hitchcock Captain, James Arnold 1st Lieutenant, Josiah Stow 2d Lieutenant, of the second company.

John Tyler Captain, James Chapman jun. 1st Lieutenant, Alexander Chalker 2d Lieutenant, of the third company.

Joseph Hait Captain, Noble Benedict 1st Lieutenant, David Rumsey 2d Lieutenant,* of the fourth company.

Roger Enno Captain, † Nathan Tibballs 1st Lieutenant,

* Nathaniel Humphreys served as 2d Lieut. of this company. *War*, x, 231.

† Abraham Foot was Captain of this company, *War*, x, 232, but the pay-roll is not found. Jeremiah Jagar was quarter-master of the expedition. *Id.* 233.

Eli Catling 2d Lieutenant, of the fifth company, in the forces now ordered to be raised for his Majesty's service against the Indian nations who have been guilty of perfidious and cruel massacres of the English, and desire they may be commissioned accordingly. And in case any of the abovenamed persons shall refuse to engage therein, his Honor the Governor is hereby desired to fill such vacancy and give commissions accordingly.

An Act for securing Soldiers listed and taken into his Majesty's Service from Arrests.

Whereas a number of troops may be raised in this Colony for his Majesty's service who may be liable to be taken out of such service by unjust or fraudulent arrests, whereby his Majesty and the public may be deprived of their service: Which to prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no person whatsoever who is duly inlisted or shall so inlist and enter himself a volunteer into his Majesty's service during the continuance of this act shall be liable to be taken out of his Majesty's service by any process or execution other than for some criminal matter, unless for a real debt or other just cause of action arisen before their entry into such service, and unless before the taking out of such process or execution, not being for a criminal matter, the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make oath before the authority or officer granting such process or execution, who are impowered to administer the same, or before some other proper authority, that to his or their knowledge the original sum justly due or owing to the plaintiff or plaintiffs from the defendant or defendants in such action or cause of action on which such process or execution shall issue, amounts to the value of ten pounds sterling at least; a memorandum of which affidavit shall be entered on the back of such process or execution. And if any person shall be arrested contrary to the intent of this act, it shall and may be lawful for any one Assistant and one justice, or two justices *quorum unus*, upon complaint thereof made by the party himself or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrants under their hands to discharge such soldier so arrested contrary to the intent of this act, upon due proof made before them that such soldier so arrested was legally inlisted as a soldier into his Majesty's service and arrested contrary to the intent of this act, and to award reasonable costs to the party complaining and grant execution therefor accordingly.

Provided nevertheless, That nothing in this act shall be construed to extend to prohibit or hinder any process or execution going out against the estate of such soldier or soldiers in due form of law.

Provided also, That this act continue in force until the end of the sessions of this Assembly in October next, and no longer.

[67] This Assembly do appoint Hezekiah Huntington and Jabez Hamlin, Esq^rs^, Commissaries to provide blankets, knapsacks, and such other articles as may be necessary to be provided for the soldiers ordered to be raised by this Assembly for his Majesties service the current year.

Resolved by this Assembly, That his Honor the Governor be desired, and he is hereby desired, to appoint and by his warrant authorize some suitable person to serve as a Chaplain in the forces ordered by this Assembly to be raised for his Majesties service the current year; and also, in case his Honor shall judge it necessary or expedient that a Surgeon should be provided to attend said forces, he is desired to appoint and impower some proper person to act in said capacity.*

This Assembly do appoint Jabez Hamlin, David Rowland, Esq^rs^, and Mr. Daniel Lothrop, to be a committee to hear, examine and adjust the accounts of Benjamin Bancroft of Suffield, said Benjamin Bancroft and Thomas Payson of Boston, traders in company, and Ichabod Fitch of Lebanon and Eleazer Pomroy of Hartford, traders in company, wherein the Governor and Company are charged for sundry hospital stores provided and delivered for the use of the Connecticut troops in late campaigns. And the said committee are hereby directed to notifie the said parties to appear and lay their accounts before them, at such time and place as they shall appoint, and to hear them fully thereon, and make their report of what they shall find in the premises to this Assembly in May next.

This Assembly do appoint Mr. Thomas Seymour of Hartford to be Agent and Attorney for the Governor and Company of this Colony, to appear before any court or courts in judicature, committees or other boards of audience, and there on the behalf of the said Governor and Company to defend in all actions that are or may be commenced against the said Governor and Company.

Upon the memorial of Simeon Raymond, of Norwalk in the county of Fairfield, shewing to this Assembly that there

* Ambrose Collins served as chaplain, and Ebenezer Jesup as surgeon in this expedition. *War*, x, 235, 241.

is a patent obtained by Josiah Wheeler, of Huntington on Long Island, to keep a ferry to transport people, horses &c., from said Huntington to said Norwalk, and that there is a considerable occasion for people to pass the sound at said place and the occasion daily increasing, and that it is necessary and convenient to have one fixed and stated at a place called the Old Well in said Norwalk, to transport passengers &c. across the sound from Norwalk to Huntington, it being about sixteen miles, and praying the grant of said ferry may be made to him and his heirs &c., as per memorial on file: Resolved by this Assembly, that the said Simeon Raymond have liberty to set up a ferry at a place called the Old Well in Norwalk, to transport passengers &c. across the sound to Huntington on Long Island, and that the grant of said ferry be to the said Simeon Raymond and his heirs during the pleasure of this Assembly, and that the fare of said ferry be for a person one shilling and six pence, for a single horse one shilling and tenpence halfpenny; and said ferry shall be under the same regulations as other ferries in this Colony are.

Upon the memorial of Thomas Eglestone, administrator on the estate of Jedediah Eglestone jun. late of Windsor, deceased, representing to this Assembly that the debts and charges against said estate surmount the personal estate of the said deceased the sum of £36 16 3, lawful money; praying to have liberty to make sale of so much of the real estate of said Jedediah Eglestone as will raise the aforesaid sum of £36 16 3, L. money, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to make sale of so much of the real estate of the [said] Jedediah Eglestone jun. as will raise the aforesaid sum of £36 16 3, L. money, with incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of John Crowel, of Windham in the county of Windham, shewing to this Assembly that on the 19th of February last his dwelling-house was consumed by fire together with one thirty-shilling and one ten shilling bill of the late emission of this Colony; praying that the Treasurer of this Colony may be directed and ordered to pay out of the Colony treasury to him forty shillings in bills of the last emission, together with the interest thereon: Resolved by this Assembly, that the Treasurer of this Colony be directed and he is hereby ordered and directed to pay out of the treasury of this Colony to the said John Crowel forty shillings in bills of this Colony of the last emission, together with the interest arisen thereon.

[68] Upon the memorial of Keziah and John Hills, executors to the last will and testament of John Hills late of Glastonbury, deceased, shewing that the debts due from the estate of said deceased surmount his moveable estate the sum of £395 7 5, lawful money, and that there is no other provision made in and by said will and testament of said John Hills, deceased, for the payment of his debts than what his moveable estate would answer, and praying for liberty to sell so much of the real estate of said deceased as will pay and satisfy the aforesaid sum with incident charges &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted them, to make sale of so much of the real estate of the said deceased as will be sufficient to pay and satisfy the aforesaid sums of £395 7 5, L. money, with the incident charges arising on such sale; taking directions of the court of probate in the district of Hartford therein.

On the memorial of Elizabeth Lattimer, administratrix on the estate of Samuel Lattimer late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable estate of said deceased the sum of £21 11 4¼, L. money, and praying for liberty to sell so much of the real estate of the said deceased as shall raise the said sum of £21 11 4¼ &c., as per memorial on file: Resolved by this Assembly, that the said Elizabeth Lattimer have liberty and she is hereby impowered, to sell so much of the real estate of the said Samuel Lattimer, deceased, as will raise the said sum of £21 11 4¼, together with the incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

On the memorial of Thomas Thatcher of Lebanon, administrator on the estate of the late Thomas Thatcher of said Lebanon, deceased, praying liberty to make sale of so much real estate of said deceased as to raise the sum of £35 17 0, for payment of said deceased's debts: Resolved, that the memorialist have liberty, and liberty is hereby granted to him, to make sale of so much real estate of said deceased as will raise the sum of £35 17 0, L. money, with the incident charges arising thereon; taking the direction of the court of probate in the district of Windham therein.

Upon the memorial of David Norton, administrator of the estate of Noah Norton late of Guilford, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the whole inventoried moveable es-

tate of said deceased the sum of £14 8 3, and praying that said administrator, or some other meet person, may have liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum of £14 8 3 with incident charges, as per memorial on file: Resolved by this Assembly, that Aaron Parmelee of said Guilford have liberty and he is hereby fully impowered, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £14 8 3 with the incident charges arising on such sale; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of Mary Eaton of Tolland, administratrix on the estate of Aaron Eaton late of Tolland, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £23 11 1, L. money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum with the necessary incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said deceased as to raise said sum of £23 11 1, lawful money, with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Abraham Coy of Somers, administrator on the estate of James Ward late of said Somers, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Stafford surmount the personal inventoried estate of said deceased the sum of £7 10 11 lawful money; praying for liberty to sell so much of the real estate of deceased as shall be sufficient to pay said sum of £7 10 11, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him, to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £7 10 11 with the incident charges arising thereon; taking the direction of the court of probate for the district of Stafford therein.

[69] Upon the memorial of Ichabod Norton and Lucy Norton, executors of the last will and testament of the Rev^{d} Mr. Seth Norton, late of the parish of Ellington in Windsor, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the personal inventoried estate of the said deceased the sum of £61 5 5, L. money; praying to this Assembly to impower the memorialist to sell so much of the real estate of said deceased as to raise said sum of

£61 5 5, L. money, with incident charges arising on said sale, taking the direction of the court of probate in the district of Stafford therein: Resolved by this Assembly, that the memorialists be impowered and they be hereby impowered, to make sale of so much of the real estate of the said deceased as to raise the aforesaid sum of £61 5 5, L. money, with incident charges arising on said sale; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Jacob Dresser, conservator of the person and estate of Rhoda Utter an impotent person of the town of Killingly in Windham county, representing that he had expended for support of the said Rhoda Utter £14 13 6, lawful money, more than the whole of her personal estate; praying that some suitable person may be appointed to sell of the real estate of said Rhoda to pay said sum and the incident charges of such sale: Resolved by this Assembly, that the said Jacob Dresser have liberty and he is hereby impowered, to sell of the real estate of the said Rhoda Utter to raise said sum of £14 13 6, lawful money, and to pay the incident charges of such sale.

This Assembly do establish Mr. Caleb Baldwin the 3d to be Captain of the first company or trainband in the town of New Town.

This Assembly do establish Mr. Timothy Shepard to be Lieutenant of the first company or trainband in the town of Newtown.

This Assembly do establish Mr. John Griffen to be Ensign of the first company or trainband in the town of Newtown.

[At this session the General Assembly appointed Jonathan Trumble and Jabez Hamlin, Esq^rs, Col. Talcott, Mr. Lothrop, Mr. Talcott, Col. Fitch and Capt. Morgan, a committee to take into consideration what they should think expedient for the Assembly to do, in order to prevent the revival of the act of Parliament laying a duty on foreign sugars and molasses. (6 Geo. ii, cap. xiii.)

The committee, by Jonathan Trumble, March 13th, reported it as their opinion "that his Honor the Governor be desired to return the thanks of this Assembly to Richard Jackson, Esq^r, our Agent at the Court of Great Britain, for his early care in collecting materials and in the intimations he has given us of his intentions to use his influence and interest in preventing the revival of said act, and also to request his further care and attention to said affair.

"And that Col. Gurdon Saltonstall, Mr. Nath^l Shaw and Mr. Thomas Mumford jun., all of New London, be a committee to collect such reasons and arguments in behalf of this Colony as they shall judge may be advantageous, and transmit the same to his Honor the Governor, to be by him sent to Richard Jackson, Esq^r, to be by him used and improved for the purpose aforesaid."

The report was accepted and approved by both Houses.

Rec. War. I. 5. 6.]

[71] *Anno Regni Regis Georgii tertii quarto.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE DAY OF JUNE NEXT FOLLOWING, ANNOQUE DOMINI 1764.

Present:

The Hon^ble^ Thomas Fitch, Esq^r^, *Governor.*
The Hon^ble^ William Pitkin, Esq^r^, *Deputy Governor.*

Assistants:

[The names of the Assistants present are not recorded.]

Representatives or Deputies who were returned to attend at this Assembly are as follow, viz:

Colo. Samuel Talcott, Colo. William Pitkin, for Hartford.
Colo. John Hubbard, Mr. Enos Alling, for New Haven.
Capt. Pygan Adams, Mr. William Hilhouse, for New London.
Mr. David Rowland, Capt. David Burr, for Fairfield.
Capt. Samuel Murdock, Capt. Jonathan Rudd, for Windham.
Colo. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.
Mr. Daniel Lothrop, for Norwich.
Colo. Jonathan Hoit, for Stamford.
Capt. Jabez Sherwood, Mr. Gideon Reynolds, for Greenwich.
Capt. Josiah Bissel, Mr. Nathan Rockwell, for Windsor.
Mr. Samuel Dickinson, Capt. John Benedict, for Danbury.
Capt. Obadiah Johnson, Mr. John Curtiss, for Canterbury.
Capt. Samuel Morgan, Colo. Samuel Coit, for Preston.
Mr. Samuel Olmstead, Mr. Timothy Keeler, for Ridgefield.
Mr. Bushnell Bostwick, Mr. Nathan Gaylord, for New Milford.
Mr. Solomon Whitman, Mr. Isaac Lee, for Farmington.
Maj. Hezekiah Brainerd, for Hadham.
Capt. Samuel Kent, for Suffield.
Capt. Samuel Gilbert, for Hebron.
Mr. Bryant Brown, Mr. Benja. Leavinze, for Killingly.
Maj. Ezekiel Pierce, Capt. James Bradford, for Plainfield.
Mr. Cyrus Marsh, Mr. Ephraim Hubbel jun., for Kent.
Mr. John Lay, Mr. Samuel Holden Parsons, for Lyme.
Capt. John Beebe, Mr. Benjamin Stephens, for Canaan.
Capt. Elisha Hollister, Mr. Jonathan Wells, for Glastonbury.
Capt. Zebulon West, Capt. Samuel Chapman, for Tolland.
Mr. Phineas Strong, Capt. Ebenez^r^ Kingsbury, for Coventry.
Mr. Seth Wetmore, Mr. Mathew Talcott, for Midletown.
[72] Capt. James Landon, Mr. Amos Fuller, for Salisbury.
Colo. Elihu Chauncey, Capt. James Wadsworth, for Durham.

Mr. Benja. Gale, Capt. John Pierson, for Killingworth.
Capt. Moses Lyman, Capt. Samuel Nash, for Goshen.
Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwal.
Mr. Daniel Foot, Capt. Dudley Wright, for Colchester.
Capt. Abner Barker, Mr. Moses Holmes, for Wellington.
Capt. Nehemiah Lyon, Mr. Jedidiah Morse, for Woodstock.
Mr. John Cook, Mr. Jonathan Coe, for Torrington.
Capt. Joshua West, Mr. William Williams, for Lebanon.
Capt. Jonth Pettibone, Mr. Hez^{h} Humphrey, for Symsbury.
Capt. Isaac Pinney, Mr. Samuel Daviss, for Stafford.
Capt. John Fowler, Mr. Ephraim Strong, for Milford.
Colo. Christopher Avery, Capt. Benadam Gallop, for Groton.
Capt. William Gold, Mr. Josiah Rogers, for Branford.
Capt. John Williams, Capt. Caleb Jewet, for Sharon.
Capt. Benja. Talcott, Mr. David Strong, for Bolton.
Colo. Joseph Fowler, for East Hadham.
Mr. Daniel Catlin, Capt. John Wilson, for Harwinton.
Capt. Hez^{n}. Whittelsey, Capt. John Murdock, for Saybrook.
Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.
Capt. Joseph Sexton, for Somers.
Mr. Nathaniel Terry, Mr. Edward Collins, for Enfield.
Capt. Isaac Kellogg, Mr. Eleazer Goodwin, for New Hartford.
Capt. Henry Glover, Mr. Oliver Tousey, for Newtown.
Capt. Abel Gun, Mr. Charles French, for Derby.
Mr. Daniel Sherman, Capt. Increase Moseley, for Woodberry.
Colo. Timothy Stone, Mr. Nathaniel Hill, for Guilford.
Capt. Timothy Judd, Mr. Joseph Hopkins, for Waterbury.
Capt. Benja. Sumner, Capt. Jedidiah Fay, for Ashford.
Capt. Robert Fairchild, Capt. Theophilus Nickols, for Stratford.
Capt. Enos Brooks, Capt. Eliakim Hall, for Wallingford.
Mr. Ephraim Hubbel, Capt. Eleazer Hubbel, for New Fairfield.
Capt. Joseph Denison, Mr. Charles Phelps, for Stonington.
Capt. Robert Dixon, Mr. John Gordon, for Voluntown.
Capt. Elisha Williams, Capt. Thomas Curtiss, for Weathersfield.
Mr. Benja. Chaplin, Mr. William Hall, for Mansfield.
Mr. Peter Lockwood, Mr. Tho. Fitch jun^{r}, for Norwalk.

Mr. Abraham Davenport, Speaker } of the House of
Colo. William Pitkin, Clerk } Representatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and then the

votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and count them; which persons were, Jonathan Trumble, Hezekiah Huntington, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon, Esq^{rs}, Colo. Samuel Talcott, Capt. Zebulon West, Capt. John Fowler, Colo. Timothy Stone, Colo. Samuel Coit, Capt. Pygan Adams, Mr. David Burr, Mr. Samuel Dickinson, Mr. William Williams, Capt. Joshua West, Colo. Ebenezer Marsh, and Capt. John Williams, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Hon^{ble} Thomas Fitch, Esq^{r}, is chosen Governor of this Colony for the year ensuing.

The Hon^{ble} William Pitkin, Esq^{r}, is chosen Deputy Governor of this Colony for the year ensuing.

Ebenezer Silliman, Esq^{r}, Jonathan Trumble, Esq^{r}, Hezekiah Huntington, Esq^{r}, John Chester, Esq^{r}, Benjamin Hall, Esq^{r}, Daniel Edwards, Esq^{r}, Jabez Hamlin, Esq^{r}, Mathew Griswold, Esq^{r}, Shubael Conant, Esq^{r}, Elisha Sheldon, Esq^{r}, Eliphalet Dyer, Esq^{r}, Jabez Huntington, Esq^{r}, were chosen Assistants for the year ensuing.

[73] Joseph Talcott, Esq^{r}, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^{r}, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath provided by the law of this Colony, and the oath required by act of Parliament, relating to Trade and Navigation, were administered (in presence of the Assembly) by the Hon^{ble} William Pitkin, Esq^{r}, Deputy Governor, to the Hon^{ble} Thomas Fitch, Esq^{r}, now chosen Governor.

The Hon^{ble} William Pitkin, Esq^{r}, now chosen Deputy Governor, had the Deputy Governor's oath prescribed by law administered to him by his Honor the Governor in the presence of the Assembly.

The Assistant's oath prescribed by law was administered by his Honor the Governor to Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon, and Jabez Huntington, Esq^{rs}, now chosen Assistants.

The Treasurer's oath prescribed by law was administered by his Honor the Governor to Joseph Talcott, Esq^{r}, now chosen Treasurer.

The Secretary's oath prescribed by law was administered

by his Honor the Governor to George Wyllys, Esq^{r}, now chosen Secretary, in the presence of the Assembly.

Ordered, That Ebenezer Silliman and Abraham Davenport, Esq^{rs}, return the thanks of this Assembly to the Reverend Mr. Noah Wells, for his sermon delivered before this Assembly on the tenth instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon^{ble} William Pitkin to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq^{r}, Daniel Edwards, Esq^{r}, Benjamin Hall, Esq^{r}, and Robert Walker, Esq^{r}, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^{r}, to be Judge of the County Courts in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq^{r}, to be Judge of the County Courts in and for the county of New Haven the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^{r}, to be Judge of the County Courts in and for the county of New London the year ensuing.

This Assembly do appoint David Rowland, Esq^{r}, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq^{r}, to be Judge of the County Courts in and for the county of Windham the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, to be Judge of the County Courts in and for the county of Litchfield the year ensuing.

This Assembly do appoint Daniel Edwards, Esq^{r}, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Esq^{r}, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq^{r}, to be Judge of the Court of Probate for the district of New London the year ensuing.

This Assembly do appoint David Rowland, Esq^{r}, to be Judge of the Court of Probate for the district of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumbel, Esq^{r}, to be

Judge of the Court of Probate for the district of Windham the year ensuing.

This Assembly do appoint Jabez Fitch, Esq^r, to be Judge of the Court of Probate for the district of Plainfield the year ensuing.

[74] This Assembly do appoint Timothy Stone, Esq^r, to be Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly do appoint Daniel Sherman, Esq^r, to be Judge of the Court [of] Probate for the district of Woodbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq^r, to be Judge of the Court of Probate for the district of Stamford the year ensuing.

This Assembly do appoint Joseph Spencer, Esq^r, to be Judge of the Court of Probate for the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq^r, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esq^r, to be Judge of the Court of Probate for the district of Danbury the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r, to be Judge of the Court of Probate for the district of Norwich the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r, to be Judge of the Court of Probate for the district of Midletown the year ensuing.

This Assembly do appoint Ebenezer Williams, Esq^r, to be Judge of the Court of Probate for the district of Pomfret the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the Court of Probate for the district of Sharon the year ensuing.

This Assembly do appoint Zebulon West, Esq^r, to be Judge of the Court of Probate for the district of Stafford the year ensuing.

This Assembly do appoint William Wolcott, Zebulon West, Seth Wetmore and Samuel Talcott, Esq^rs, to be Justices of the Peace and Quorum for the county of Hartford the year ensuing.

This Assembly do appoint Thomas Wells, Phineas Lyman, Joseph Fowler, George Wyllys, Joseph Talcott, John Ledyard, Thomas Hosmer, Jonathan Hills, Thomas Seymour, John Pitkin, Daniel Bissell, Samuel Eno, Erastus Wolcott, Josiah Bis-

sell, Jonathan Belding, Elisha Williams, Joseph White, Joseph Southmayde, Nathaniel Chauncey, Mathew Talcott, Joseph Hooker, John Hooker, Solomon Whitman, Jared Lee, Joseph Hart, Hezekiah Gridley, John Strong, John Owen, Judah Holcomb, Jonathan Pettibone, Hezekiah Humphry, Samuel Kent, Hezekiah Brainerd, Joseph Wells, Joseph Spencer, Daniel Cone, Daniel Brainerd, jun^{r}, Jonathan Hale, William Wells, John Kimberly, Epaphras Lord, John Waterous, Daniel Foot, John Phelps, Alexander Phelps, Ephraim Terry, Thomas Pitkin, Elisha Steel, Isaac Pinny, Samuel Reynolds, Abner Barker, Henry Allyn and Benjamin Talcott, Esq^{rs}, to be Justices of the Peace for the county of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Elihu Chauncey, Timothy Stone and Thomas Darling, Esq^{rs}, to be Justices of the Peace and Quorum for the county of New Haven the year ensuing.

This Assembly do appoint Roger Newton, Robert Treat, Nathan Baldwin, Joseph Woodruff, John Fowler, Samuel Sherman, John Whiting, Daniel Lyman, Samuel Sacket, Samuel Hemingway, Jonathan Russell, Josiah Rogers, Samuel Barker, James Barker, William Hoadly, Theophilus Roseter, Samuel Robinson, Nathaniel Rugles, Nath^{l} Hill, Sam^{l} Hall, John Hall 2d, Elihu Hall, Ezekiel Rice, Caleb Merriman, James Wadsworth jun^{r}, Thomas Clark, Thomas Mathews, Joseph Hopkins, Caleb Hummiston, Samuel Basset, Samuel Riggs, Timothy Russel, Daniel Holbrook, Charles French, Benjamin Hall the 4th, Timothy Judd, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Josiah Meigs to be a Justice of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Jonathan Hoit, John Read, Abraham Davenport and Samuel Fitch, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

[75] This Assembly do appoint David Rowland, William Burr, Robert Fairchild, Robert Walker, Agur Tomlinson, Samuel Adams, Ichabod Lewis, Theophilus Nichols, James Walker, David Burr jun^{r}, Moses Dimon, Sam^{l} Sherwood, Joseph Platt, Thomas Fitch jun^{r}, Elias Betts, Theophilus Fitch, Thomas Benedict of Norwalk, Jonathan Maltbie, John Ferris, Peter Mead, Sam^{l} Olmstead, Samuel Smith, Thomas Benedict of Danbury, Samuel Grigory, Ephraim Hubbel, Thomas Brush, Caleb Baldwin, Richard Fairman, Thomas Hill, Lothrop Lewis, Joseph Platt Cook, to be Justices of the Peace within and for the county of Fairfield the year ensuing.

This Assembly do appoint John Griswold, Esq^{r}, Colo. Christopher Avery, Richard Lord and Pygan Adams, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Benjamin Gale, Elnathan Stephens, Aaron Elliott, Joseph Wilcocks, Nathaniel Clark, John Tully, Hezekiah Whittlesey, Samuel Ely, John Lay, Benjamin Lee, George Dorr, Samuel Selden, John Richards, Daniel Coit, William Hillhouse, Jeremiah Miller, Luke Perkins, Nathan Smith, William Williams, Ebenezer Avery, Joseph Dennison, Samuel Printice, Amos Cheesbrough, John Williams, Samuel Morgan, Samuel Coit, William Winter, Ebenezer Backus, Wm. Whiting, Ebenezer Hartshorn, Humphry Avery, Jacob Perkins, Simeon Tracy, John Murdock, John Parsons, Charles Phelps, Esq^{rs}, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Shubael Conant, John Dyer, Jabez Fitch and Joshua West, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Samuel Gray, Jedediah Elderkin, Nathaniel Wales, jun^{r}, Joseph Clark, William Metcalfe, William Williams, Joseph Storrs, Phineas Strong, Joseph Strong, Samuel Huntington, John Curtiss, Benjamin Wheeler, Isaac Coit, John Smith, Robert Dixson, Jeremiah Kinnee, Samuel Danielson, Jacob Dresser, Thomas Moffat, Timothy Sabin, Ebenezer Williams, William Osgood, Thomas Williams, John Grosvenor, Samuel Chandler, Ebenezer Smith jun^{r}, Nath^{l} Child, Ebenezer Wales, Elijah Whiton, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Benjamin Sumner to be a Justice of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Ebenezer Marsh, Increase Mosely, Daniel Sherman and Bushnel Bostwick, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, Timothy Collins, Jacob Woodruff, Isaac Baldwin, Daniel Everet, Elisha Stoddard, Benjamin Hinman, Tilly Blakely, Paul Welch, Samuel Bostwick, John Ransom, Daniel Lee, Nathan Elliott, Daniel Griswold of Sharon, James Landon, John Hutchinson, David Whitney, John Bebee, John Beach, Moses Lyman, Thomas Russell, Cyprian Webster, Abijah Catling, Isaac Kel-

logg, Mathew Gillit, John Cook, Epaphras Sheldon, Michael Humphry, Samuel Nash, Cyrus Marsh, to be Justices of the Peace in and for the county of Litchfield the year ensuing.

An Act in Alteration of an Act entituled An Act for forming and regulating the Militia and for encouraging Military Skill for the better Defence of this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future no captain or chief officer of any foot company or troop shall call or draw forth his company or troop more than two days in each year, (inclusive of the day appointed for viewing of arms and ammunition,) to exercise them as in and by said act is directed, unless it be by special order of the colonel or other chief officer of the regiment to which such captain doth belong.

Be it further enacted by the authority aforesaid, That no person living within the limits of any company who is not a soldier of such company or enlisted in some troop shall for the future be obliged to appear and bring forth his arms and ammunition (in order to have the same viewed) on any day or time that is or shall be appointed for viewing of arms: but from such appearance every such person is and shall be exempted.

Provided, That nothing in this act contained shall be construed to hinder any such person or persons from voting in the choice of military commission officers.

[76] An Act in further Addition to an Act entituled An Act for preventing, punishing and removing of Nuisances in Creeks, Rivers and other Water-Courses.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the river in the western parts of this Colony commonly called Housatonuck River, and the streams that empty themselves thereinto, shall be under the same regulations as the streams called Quinebaug River and Shoutoket River by said law are, and that if any person or persons whatsoever shall by weirs, seines, hedges, or by any other means, obstruct the passage or course of the fish in said Housatonuk River or any of the streams that empty themselves thereinto, such person or persons so offending shall be subjected to the same penalties as in and by said act is provided.

An Act for reviving an Act of this Assembly made and passed in their Sessions in May Anno Domini 1761, entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in October last, that the aforesaid act should continue in force until the rising of this Assembly, and no longer: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,

That the said act entituled An act in further addition to the law entituled An act for providing in case of sickness be revived, and the same is hereby revived and shall continue and be in force until the rising of this Assembly in May next.

This Assembly do appoint Israel Putnam, Esq^{r}, to be Lieutenant-Colonel of the forces raised in this Colony for the service of the present year, and his Honor the Governor is desired to commission him accordingly, and order that his pay be the same as given to lieutenant-colonels the last campaign.

This Assembly do appoint Hezekiah Brainerd, Esq^{r}, to be Major of the seventh regiment in this Colony.

This Assembly do appoint Joseph Spencer, Esq^{r}, to be Lieutenant-Colonel of the twelfth regiment in this Colony.

This Assembly do appoint Alexander Phelps, Esq^{r}, to be Major of the twelfth regiment in this Colony.

This Assembly do establish Mr. Guy Richards to be Lieutenant of the second company or trainband in the town of New London.

This Assembly do establish Mr. Thomas Pardee to be Captain of the east company or trainband in the town of Sharon.

This Assembly do establish Mr. Joseph Lord to be Lieutenant of the east company or trainband in the town of Sharon.

This Assembly do establish Mr. John Felshaw to be Lieutenant of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Jesse Converse to be Ensign of the 4th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Samuel Bushnel to be Captain of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Way to be Lieutenant of the fifth company or trainband in the town of New London.

This Assembly do establish Mr. Nathaniel Clark to be Captain of the third company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Samuel Carpenter to be Lieutenant of the third company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Josiah Sabin to be Ensign

of the third company or trainband in the 11th regiment in this Colony.

[77] This Assembly do establish Mr. Thomas Starr to be Captain of the third company or trainband in the town of Danbury.

This Assembly do establish Hezekiah Benedict to be Lieutenant of the third company or trainband in the town of Danbury.

This Assembly do establish Mr. Abraham Andrews to be Ensign of the third company or trainband in the town of Danbury.

This Assembly do establish Mr. John Shipman to be Captain of the first company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joshua Bushnell to be Lieutenant of the first company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Samuel Chapman to be Ensign of the first company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Samuel Canfield to be Captain of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Arthur Bostwick to be Lieutenant of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Daniel Picket to be Ensign of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Cyprian Dudley to be Lieutenant of the 13th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. David Burr to be Captain of the second company or trainband in the town of Fairfield.

This Assembly do establish Mr. Thomas Selden to be Captain of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. David Smith to be Lieutenant of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Roger Sterry to be Captain of the fourth company or trainband in the town of Preston.

This Assembly do establish Mr. Samuel Freeman to be Lieutenant of the 4th company or trainband in the town of Preston.

This Assembly do establish Mr. Joshua Meech to be Ensign of the 4th company or trainband in the town of Preston.

This Assembly do establish Mr. Reuben Loomiss to be Captain of the company or trainband in the parish of Wintonbury in the town of Windsor.

This Assembly do establish Mr. Pelatiah Mills to be Lieutenant of the company or trainband in the parish of Wintonbury in the town of Windsor.

This Assembly do establish Mr. Jonah Gillit jun^{r} to be Ensign of the company or trainband in the parish of Wintonbury in the town of Windsor.

This Assembly do establish Mr. Samuel Arnold to be Ensign of the third company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Joseph Richards to be Lieutenant of the north company or trainband in the parish of Southbury in the town of Woodbury.

This Assembly do establish Mr. Benjamin Stiles to be Captain of the north company or trainband in the parish of Southbury in the town of Woodbury.

This Assembly do establish Mr. Joseph Pierce to be Ensign of the north company or trainband in the parish of Southbury in the town of Woodbury.

This Assembly do establish Joshua Hall to be Captain of the northeast company or trainband in the town of Wallingford.

This Assembly do establish Benjamin Hall 2d to be Lieutenant of the northeast company or trainband in the town of Wallingford.

This Assembly do establish Mr. Nathaniel Hart to be Ensign of the northeast company or trainband in the town of Wallingford.

[78] This Assembly do establish Mr. Joseph Kirbey to be Captain of the 5th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Thomas Johnson to be Lieutenant of the 5th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Solomon Sage to be Ensign of the fifth company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Truman Henman to be Ensign of the south company or trainband in the town of Woodbury.

This Assembly do establish Mr. Clapp Raymond to be

Lieutenant of the company or trainband in the society of Wilton in the town of Norwalk.

This Assembly do establish Joseph Pierpont to be Captain of the ninth company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Abraham Blackslee to be Lieutenant of the 9th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Jacob Brocket to be Ensign of the 9th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Samuel Smith to be Lieutenant of a company or trainband in Wapping in the town of Windsor.

This Assembly do establish Mr. Edward Chapman Grant to be Ensign of a company or trainband in Wapping in the town of Windsor.

This Assembly do establish Nathaniel Loomiss to be Ensign of the third company or trainband in the town of Windsor.

This Assembly do establish Mr. Timothy Barker to be Captain of the 11th company or trainband in the second regiment in this Colony.

This Assembly do establish Thomas Champion to be Lieutenant of the 10th company or trainband in the seventh regiment in this Colony.

This Assembly do establish Mr. William Kelsey to be Ensign of the 10th company or trainband in the seventh regiment in this Colony.

This Assembly do establish Mr. Aaron Cleavland to be Captain of the 16th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. William Cone to be Ensign of the 16th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Lumm to be Captain of the 4th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Timothy Baldwin to be Lieutenant of the 4th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. John Tomlinson to be Ensign of the 4th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Jonathan Kingsbury to be Captain of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. William Holt to be Lieutenant of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Jabez Huntington to be Captain of the 1st company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Thomas Tracey to be Lieutenant of the first company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Isaac Bowen to be Lieutenant of the 15th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ephraim Manning to be Ensign of the 15th company or trainband in the 11th regiment in this Colony.

[79] This Assembly do establish Mr. William Buckingham to be Lieutenant of the 6th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Jedediah Buckingham to be Ensign of the 6th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Abiel Abbott to be Ensign of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Stephen Seymour to be Ensign of the company or trainband in the parish of Northbury in the town of Waterbury.

This Assembly do establish Cornelius Brook to be Captain of the south company or trainband in the parish of Cheshire in the town of Wallingford.

This Assembly do establish Mr. Henry Hotchkiss to be Lieutenant of the south company or trainband in the parish of Cheshire in the town of Wallingford.

This Assembly do establish Mr. Aaron Mathews to be Ensign of the south company or trainband in the parish of Cheshire in the town of Wallingford.

This Assembly do establish Mr. Jonathan Latham to be Captain of the first company or trainband in the town of Groton.

This Assembly do establish Mr. Joseph Gallupp to be Lieutenant of the first company or trainband in the town of Groton.

This Assembly do establish Mr. Thomas Mumford junr, to be Ensign of the first company or trainband in the town of Groton.

This Assembly do establish Mr. Jonathan Hale junr, to be Ensign of the 4th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Daniel Austin to be Lieutenant of the first company or trainband in the town of Suffield.

This Assembly do establish Mr. David Coe to be Captain of the 16th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. David Miller to be Lieutenant of the 16th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Samuel Green to be Ensign of the 16th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Christopher Hamlin to be Captain of the 6th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Sherman Bordman to be Lieutenant of the first company or trainband in the town of New Milford.

This Assembly do establish Mr. Joseph Hartwell to be Ensign of the first company or trainband in the town of New Milford.

This Assembly do establish Mr. Nathan Burret to be Lieutenant of the company or trainband in the town of Norwalk.

This Assembly do establish Mr. Elias Scribner to be Ensign of the company or trainband in the first society in the town of Norwalk.

This Assembly do establish Mr. Thomas Porter to be Lieutenant of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Bennoni Peck to be Ensign of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. John Worster to be Lieutenant of the 13th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Joseph Osborn to be Captain of the 13th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Thomas Clark to be Ensign of the 13th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Abraham Granger to be Lieutenant of the 2d company or trainband in the town of Suffield.

[80] This Assembly do establish Mr. Simon Kendall to be Ensign of the second company or trainband in the town of Suffield.

This Assembly do establish Mr. Joseph Bentley to be Lieutenant of the fifth company or trainband in the town of Norwich.

This Assembly do establish Mr. Joseph Brewster jun^{r} to be Ensign of the fifth company or trainband in the town of Norwich.

This Assembly do establish Mr. Joseph Cleland to be Ensign of the fifth company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen May to be Lieutenant of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Elisha Child to be Ensign of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Smith to be Captain of the west company or trainband in the town of Goshen.

This Assembly do establish Mr. Abel Forward to be Captain of the third company or trainband in the town of Symsbury.

This Assembly do establish Mr. Zacheus Gillit to be Lieutenant of the third company or trainband in the town of Symsbury.

This Assembly do establish Mr. Thadeus Cook to be Captain of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Mr. Miles Merwin to be Lieutenant of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Mr. James Royce to be Cornet of the troop of horse in the 10th regiment in this Colony.

This Assembly do establish Mr. Caleb Culver to be Quarter-Master of the troop of horse in the 10th regiment in this Colony.

This Assembly taking notice of Mr. Agent Jackson's letter communicated by the Governor, wherein he desires to be informed whether he should charge and draw his salary from the time he received his commission of agency, or from the time when Mr. Ingersol, the Colony's late Agent, left England,

Resolved by this Assembly, That his Honor the Governor be desired to acquaint Mr. Jackson that this Assembly had been informed by Mr. Ingersol that it was his understanding

[he] would not expect his salary to commence until the time of his, Mr. Ingersol's, leaving the business of the Agency: yet fully sensible of the great pains taken and of the good services rendered to this Colony by Mr. Jackson, more especially in late times of difficulty, and in full confidence of his future friendship, this Assembly are desirous he should charge his salary from the time he received his commission, which this Assembly is informed by Mr. Ingersol was on the 30th day of May, 1760; and to assure Mr. Jackson, in the name of this Assembly, that we shall be always ready, according to our ability, to acknowledge in the most suitable manner the services which he has or shall render to this Colony, and to desire of him the continuance of his wonted zeal and assiduity in our behalf in all the important concernments we may have at the British Court.

Resolved by this Assembly, That the Treasurer of this Colony be and hereby is ordered and directed, from and after the rising of this Assembly, to exchange with specie such bills emitted on the credit of this Colony in March, 1760, as may be offered to him for that purpose, as far forth as he may have any stock of silver or gold remaining in his hands not appropriated to other use; and that this resolve be made public, by inserting it in one or more of the common newspapers.

Upon the report of the committee appointed by this Assembly to take into consideration that part of Mr. Agent Jackson's letter, dated March 10th, 1764, relative to creating a revenue in America:

[81] *Resolved*, That Ebenezer Silliman, George Wyllys, and Jared Ingersoll, Esq^{rs}, be and they are hereby appointed a committee to assist his Honor the Governor for that end especially desired, to enter into consideration of that affair, and to collect and set in the most advantageous light all such arguments and objections as may justly and reasonably [be] advanced against creating and collecting a revenue in America, more particularly in this Colony, and especially against effecting the same by Stamp Duties &c. And of such their remonstrance to have a competent number of copies printed, some part thereof to be by his Honor the Governor transmitted to Mr. Agent Jackson, and the residue kept and at best discretion dispersed here.

Whereas this Assembly are informed that there are in divers towns in this Colony guns and other implements of war, as also blankets, knapsacks, and sundry other articles belonging to this government that have been provided by the

commissaries for the use of the soldiery in the late campaigns, some of which guns &c. have been used and returned and others have not been used: And whereas there is danger that the aforesaid guns &c. will be lost unless speedy care be taken of them,

Whereupon it is resolved by this Assembly, That the Deputies of the several towns in this Colony for the time being be, and they are hereby, appointed and impowered, each one in the town where he lives, to collect and recover all such guns &c. of the person or persons in whose custody or possession the same shall or may be found, and when the same shall or may be found, and when the same shall be received or so recovered by such deputy, he is hereby directed and authorized to make sale of the same for the benefit of this Colony, and the money that shall be received on account of such sale he shall pay and deliver into the hands of the Treasurer of this Colony, whose receipt he shall take therefor and lodge the same with the Secretary of this Colony.

And it is further resolved, That the said Deputies shall receive out of the monies raised on the sale of such guns &c. at the rate of five *per cent.*, as a recompence for their service.

Whereas this Assembly in March last did appoint Jabez Hamlin, David Rowland, Esq^{rs}, and Mr. Daniel Lothrop, a committee to hear, examine and adjust, the accounts of Benjamin Bancroft of Suffield, said Benjamin Bancroft and Thomas Payson of Boston, traders in company, and Ichabod Fitch of Lebanon and Eleazer Pomeroy of Hartford, traders in company, wherein the Governor and Company are charged for sundry hospital stores provided and delivered for the use of the Connecticut troops in the late campaigns; that said committee, having heard all parties concerned and examined said accounts, did report that there now remains due to the said Benjamin Bancroft from this Colony the sum of £525 14*s.* 4*d.*, exclusive of interest arisen on the bills since the 31st day of December, 1762, and to the said Benjamin Bancroft and said Thomas Payson in company £120 10 2, exclusive of interest on the bills since the last day of December, 1760, and to the said Ichabod Fitch and Eleazer Pomroy £154 16 11, exclusive of interest on the bills since the last of December, 1762; which report of the committee in the premises is accepted &c., as on file &c.: Resolved by this Assembly, that the Treasurer of this Colony for the time being pay, and he is hereby ordered and directed to pay, unto the said Benjamin Bancroft, the said Benjamin Bancroft and Thomas Payson, the said Ichabod Fitch and Eleazer Pomeroy, the sev-

eral sums above mentioned with 5 *per cent.* interest thereon, in bills of this Colony, since the 31st day of December, 1760, and 1762, as aforesaid.

Whereas it is represented to this Assembly that the lands contained in the mortgage-deed executed by James Wright late of Saybrook in the county of New London, deceased, to the Governor and Company of this Colony on the first day of March, $173\frac{3}{4}$, (which land consists of about thirty acres lying in Saybrook aforesaid,) may be sold for the sum of sixty pounds lawful money, in case a proper conveyance might be made of the same: It is thereupon resolved by this Assembly, that upon the payment of sixty pounds lawful money for the use of this Colony within the space of eighteen months next ensuing, with the lawful interest arising from that time on said sum till the time of payment, the committee appointed by this Assembly to execute deeds of release of the lands mortgaged to the Governor and Company of this Colony be, and they are hereby, impowered and directed to execute proper deed or deeds of the right of the said Governor and Company to said thirty acres of land to such person or persons as shall pay for the same in manner aforesaid. And Mathew Griswold, Esq^{r}, is hereby appointed and directed to receive the Treasurer's receipt for the price of the aforesaid 30 acres of land and lodge the same with the Secretary of this Colony accordingly.

[82] *Resolved by this Assembly*, That the King's Attornies for the several counties of this Colony shall have power to appear in behalf of the Governor and Company of this Colony in all cases concerning them or that shall be brought for or against them in any of the said counties, and shall have power to sue in all such bonds as have been given by the several officers, pay-masters or others, to the said Governor and Company as shall or may be delivered to either of them by the Committee of the Pay-Table or the Treasurer. And they are hereby also respectively impowered to sue in all such bonds or obligations as were taken for the rights of land in Norfolk, as occasion from time to time may call for.

This Assembly do appoint Capt. Benadam Gallup to be a Surveyor of Lands in and for the county of New London.

This Assembly do appoint Mr. Mathew Hide to be a Surveyor of Lands for the county of Hartford.

This Assembly grant to the Hon^{ble} Thomas Fitch, Esq^{r}, Governor, one hundred and fifty pounds, for his salary for the first half of the current year, and the Treasurer is hereby ordered and directed to pay the same accordingly.

This Assembly grant to the Hon^ble William Pitkin, Esq^r, Deputy Governor, fifty pounds, for his salary the first half of the current year, and the Treasurer is hereby ordered to pay the same accordingly.

This Assembly grant to Joseph Talcott, Esq^r, Treasurer, the sum of one hundred pounds, for his salary the last year.

This Assembly grant to Joseph Talcott, Esq^r, Treasurer, the sum of sixty pounds for extraordinary services the last year.

This Assembly grant to George Wyllys, Esq^r, Secretary, the sum of twenty pounds, for his salary for the last year, and the Treasurer is hereby ordered to pay the same accordingly.

The Treasurer of this Colony is hereby ordered to pay out of the public treasury the sum of eighty-two pounds four shillings lawful money to the Hon^ble Thomas Fitch, Esq^r, Governor, for his care and service in drawing bills of exchange for £24670 9 6 sterling, of the monies belonging to the Governor and Company of this Colony lodged in the hands of the Agent in England.

This Assembly grants to John Penniman, administrator on the estate of Timothy Green late of New London, deceased, (late printer to the Governor and Company,) the sum of twenty-one pounds sixteen shillings, it being for the last half year's salary of the said Timothy Green, deceased, as printer as aforesaid, and other articles contained in said printer's account against the government, and the Treasurer of this Colony is ordered to pay the same accordingly.

This Assembly grants to Mr. Timothy Green, printer, the sum of eleven pounds eleven shillings and four pence in bills of credit of this Colony, for services done in printing &c. (as per his account,) and the Treasurer is hereby ordered to pay the same accordingly.

Upon the petition of Jonathan Seymour jun^r, of Hartford in the county of Hartford, representing that he brought his action against Josias King of Suffield in said county, administrator on the estate of Seth King of said Suffield, deceased, on a certain note executed by the said Seth in his life-time, wherein he promised the petitioner to pay to him fifty-three pounds thirteen shillings on demand, with lawful interest &c., bearing date the 22d of May, 1762, to the county court held at said Hartford on the second Tuesday of April, 1763; that on a plea of *non assumpsit* the jury found that said Seth in his life-time did not promise and assume in manner and form &c.; that the petitioner moved for an appeal to the superior court

held at said Hartford on the first Tuesday of September, 1763; that by mistake said appeal happened not to be entered; praying liberty to enter said action at the superior court to be held at said Hartford on the first Tuesday of September next, and to have another tryal therein &c.: Resolved by this Assembly, that the petitioner shall have liberty, and liberty is hereby granted unto him, to enter the said action at said superior court to be held at said Hartford on the first Tuesday of September next, and have another tryal therein, and that the future cost only shall follow the final judgment that shall be given therein.

[83] Upon the petition of John Swetland and Joseph Swetland of Hartford, and William Swetland, Jonathan Swetland, Peter Swetland and John Closon and Zeruiah his wife, of Hebron, and Caleb Swetland of Kent, and Joseph Bassett of Bridgwater in the Province of the Massachusetts Bay, William Bassett and Gideon Bassett of Norton, and Nathan Bassett of Bridgwater, all in said Province, the descendants and heirs of John Swetland late of Lebanon, deceased, of Joseph Swetland and of Sarah Bassett, deceased, preferred to this Assembly in May last and thence by divers continuances brought here, against John Richards, Esq^{r}, of New London, shewing to this Assembly that upon a former petition of theirs preferred to the General Assembly held at Hartford, May, 1760, against the said John Richards, Esq^{r}, setting forth and shewing that Benjamin Swetland their relative ancestor, formerly of said New London since deceased, by his last will and testament gave and devised to his then wife Hannah Swetland the use and improvement of certain goods and chattels of his for and during her natural life, and then to go to the parents &c. aforesaid of the petitioners whom they represent; that said Hannah afterwards died, leaving a last will and the said Richards her executor, who took into his custody the said goods and estate &c.; praying to have a discovery of the same, and to have the same adjudged to them &c., as by said petition at large may more fully appear: and thereupon Richard Lord, Jabez Huntington and Ebenezer Backus, Esq^{rs}, were by said Assembly held May, 1760, appointed a committee with power to enquire after said goods and estate in order to a discovery thereof, and report make &c.; which committee having executed said trust and made their report to the General Assembly held at New Haven in October, 1760, the same was accepted and approved; in and by which report it was found that said John Richards had in his custody and detained &c. a negro man

called Mingo, one negro woman called Rose, a silver tankard, porringer and spoons, silver money and a sum in old tenor bills, also a bond against Thos Fosdick for £431 0 0, old tenor, on interest, &c., as by said report at large may appear; praying to have said several goods paid and delivered over to the petitioners by said John Richards, as by the petition on file: Resolved by this Assembly, that Joseph Spencer of East Haddam, Joshua West of Lebanon, and Benjamin Gale of Killingsworth, Esqrs, be and they are hereby appointed a committee with full power, to take into consideration and determine to whom according to the will of Benjamin Swetland aforesaid the said goods and chattels, mentioned in said report, do of right belong, and in what proportion, and to whom the same or any part thereof ought to be paid and delivered, and to consider what allowances, if any, ought to be made by the said John Richards for the use and service of said negroes, or either of them, since they have been in his hands and custody; as also to consider and determine what and how much, if any, there ought to be allowed to said Richards for his expences and care in and about said articles or other matter relative to said estate; as also to determine what sum, if anything, ought to be paid by said Richards for said articles, or any of them, in case he should refuse to deliver out and pay the same according to such order as this Assembly may make to that purpose; and make their report in the premises to this or the next session of Assembly.

Upon the petition of Joshua Hempstead, of Stonington in the county of New London, representing to this Assembly that on the 25th day of December, 1756, he was holden to pay unto Jeremiah Wheeler of said Stonington £33 13 6 lawful money, a great part of which had arisen for interest and forbearance allowed by the petitioner to said Wheeler for the loan of money at the rate of eleven *per cent. per annum*, or more; that the petitioner's obligation lay against him for said sum until the 13th day of March, 1759, when he being unable to pay said sum was unreasonably obliged by the said Wheeler to execute a bond to him conditioned for the sum of £47 2 7½, lawful money, therein including the sum of £13 9 1½, lawful money, for the interest of sum of £33 13 6 from said 25th of December, 1756, to said 25th of December, 1759, and for no other consideration; that said last mentioned bond remained against the petitioner unpaid until the 19th of October, 1762, when the said Wheeler refused to wait any longer or to give the petitioner any further day of payment thereon, unless the petitioner would then allow in-

terest on said sum of £47 2 7½ from said 25th day of December, 1759, to the 25th of December, 1763, at the rate of eleven *per cent. per annum* compound interest, and add the same to said sum of £47 2 7½, and execute notes of hand to the petitionee for the whole added together and confess judgment thereon &c.; that the petitioner was obliged to, (being unable to pay said sum,) and did confess four several judgments against himself &c. for said last sum with the interest added thereto &c., amounting in the whole to the sum of £76 18 2, lawful money, and that executions were taken out against him &c.; praying for relief &c.: Resolved by this Assembly, that Messrs. Pygan Adams, Jeremiah Miller and David Gardiner, of New London, be a committee to examine the parties under oath and enquire into the matters in said petition complained of, and thereof to make report with their opinion thereon to this Assembly at New Haven in October next; and that said executions and proceedings thereon be in the mean time stayed.

[84] Upon the petition of Joseph Barnard of Hartford, against Edward Griswold of Windsor, in said county, representing that on the 26th day of March, 1750, by his deed of that date mortgaged to the said Edward Griswold ten acres of valuable land in said Hartford, bounded and described in said petition, for the sum of £300 0 0 old tenor bills by him received of said Griswold, to be repaid with lawful interest by the first day of August next after the date of said deed; that the petitioner being unable to raise said sum or redeem said land, the said Griswold soon after sold the same for a much larger sum; praying that said Griswold be compelled to pay the petitioner the surplus monies by him received for said land more than said sum of £300 0 0 and the interest thereof, &c., as per said petition on file: Resolved by this Assembly, and it is hereby ordered and decreed, that the said Edward Griswold pay and satisfy to the petitioner the sum of five pounds six shillings and four pence half penny lawful money, in full satisfaction for said surplus by him received on the sale of said land, and that execution issue accordingly. *Ex. granted March 13th*, 1769.

Upon the petition of John Walker, of Hartford in the county of Hartford, one of the executors of Doct. Normand Morrison late of said Hartford, deceased, against George Wilmot, of Albany in the Province of New York, representing that sometime in April last past there being a controversy subsisting between said executor and said Wilmot relating to the book-accounts of said deceased and said Wilmot, the

same was by mutual agreement submitted to arbitration; that before the arbitrators in said case the said Wilmot produced an account containing a charge of large sums by him paid to Philip Levingstone of New York, and in evidence thereof exhibited certain receipts under the hand of said Levingstone and his clerks, acknowledging to have received the same of said deceased by the hands of said Wilmott, which sums were by him alledged and sworn to have been paid with his own monies, with which evidence the petitioner was surprised, said receipts having been in the hands of said deceased and by George Smith, one of his executors, delivered up to said Wilmot and by him produced as aforesaid, and said arbitrators, being limited to a certain short period for the delivering up their award, did not nor could give the petitioner time to procure the necessary evidence to evince (as he is now able to do,) that the said monies so paid by said Wilmot for which said receipts were given were the proper monies of the said Normand, and by him remitted to said Levingstone by the hands only of said Wilmot; for want of which evidence said arbitrators allowed said sum in favour of said Wilmot, and awarded in his favour the sum of £94 2 6, lawful money, for which sum said Wilmot hath obtained a judgment at law on the note given by the petitioner and said Smith to oblige them to abide the said award of said arbitrators &c.; praying that a committee be appointed to examine the matters aforesaid, and that said award and said judgment on said note may be set aside &c., as per petition on file: Resolved by this Assembly, that Messrs. Elisha Williams, Erastus Wolcot and Jonathan Wells, be and they are hereby appointed a committee with full power, to examine into all the matters mentioned and referred to in said petition, hear all parties concerned in the premises, and report what they shall find with their opinion thereon to this Assembly at their sessions in October next; and that the execution on said judgment be stayed in the meantime.

Upon the petition of Godfrey Mallbone, of Newport in the Colony of Rhode Island, against John Banister of the same Newport, complaining of error in the judgment of the superior court held at Windham on the third Tuesday of March last, in assessing the damages on a bond given to said Banister by said Mallbone condition for £5971 0 0 old tenor of the Colony of Rhode Island, dated May 10th, 1755, and made payable the second of December of the same year 1755; praying to have said judgment reversed and for a new tryal of said cause, or that a committee might be appointed to adjust and settle the sum due

by said bond, as by the petition on file: Resolved by this Assembly, that there is manifest error in the aforesaid judgment complained of, and the same is accordingly hereby reversed and set aside. Upon which the parties by their respective attornies appeared before this Assembly and agreed to the appointment of a committee as prayed for, and the petitioner before this Assembly gave bond to abide the judgment that shall be given in the case. Whereupon it is further resolved, that such committee be appointed, and Col. Joseph Spencer, Ebenezer Backus, Esq^{r}, and Mr. Daniel Lothrop are hereby appointed a committee with full power to hear the parties upon, enquire into and determine, the sum in lawful money that is justly due by said bond and the condition thereof, and make report thereof to this Assembly at their sessions in October next.

[85] Upon the petition of Anne Burnham, of Hartford in the county of Hartford, widow, representing that Joseph Buckingham of said Hartford, Esq^{r}, the only child of the petitioner, died some time in or about the month of November, 1760, intestate, leaving a plentiful personal estate in goods, chattels, monies, negroes &c., but neither father, wife, child, brother nor sister; that said personal estate by the death of the said Joseph fell to and became the property of her, the said Anne, the mother, as next of kin to said intestate; that afterwards, on the 4th of June, 1762, before the court of probate then held at said Hartford for the district of Hartford, the said Anne, the petitioner, moved to have letters of administration granted to her on said estate, and that at the same time and place appeared Mr. Daniel Buckingham, of Fairfield in the county of Fairfield, who was in the relation of a cousin-germain to said deceased, and claimed the right to have letters of administration granted to him in preference to the right of the said petitioner thereto; that said court of probate on a consideration thereof rejected the motion of the said petitioner and granted letters of administration on said estate unto the said Daniel Buckingham; that from such decree, sentence and doings of the said court of probate, the petitioner appealed to the superior court held at Hartford on the first Tuesday of September, 1762, which came finally to the superior court held at said Hartford on the first Tuesday of March, 1764, and that on consideration of said case and matters aforesaid the said superior court did by their judgment affirm the decree, sentence and doings of said court of probate in rejecting the motion of the petitioner and in granting administration to the said Daniel, as aforesaid, and awarded costs against the petitioner &c.;

complaining that said doings of the court of probate and the said judgment of the superior court in affirming the same are erroneous; praying also to have the same reversed &c.: It is thereupon resolved by this Assembly, that the sentence, decree and doings of the said court of probate in rejecting the motion of the petitioner and in granting of administration unto the said Daniel Buckingham, and the judgment of the said superior court in affirming the same, are erroneous, and that the said decree and doings of said court of probate and the judgment of the said superior court be reversed, and the same is hereby reversed, set aside and made void.

Upon the petition of Anne Burnham, of Hartford in the county of Hartford and Colony of Connecticut, widow, representing that she was the natural mother and next of kin to Joseph Buckingham of said Hartford, Esq^{r}, late deceased, and was so at the time of his death, which happened on the 29th of November, 1760, he having then neither father, wife nor child, and that the nearest relations and kindred to the said Joseph (excepting the petitioner) then and still surviving are, Daniel Buckingham of Fairfield in the county of Fairfield, John Buckingham, Josiah Buckingham, Jane Treat the wife of Robert Treat, Esq Clemence Treat the wife of Joseph Treat, and Alice Treat the wife of Edmund Treat, all of Milford in the county of New Haven, who are only uncle and aunt's children and cousin-germains to the said Joseph, deceased; that the said Joseph Buckingham, Esq^{r}. died seized and intestate of a large, valuable real estate in lands, tenements and hereditaments, which by the law and custom of the said Colony on the decease of the said Joseph Buckingham passed to and became the sole and proper estate of the said Anne, who was natural mother and next of kindred to said deceased; that nevertheless the aforesaid cousin-germains, *viz:* the said Daniel Buckingham, John Buckingham, Josiah Buckingham, Jane Treat, Clemence Treat and Alice Treat, claiming a right to said estate in opposition to the right of the said Anne the mother to the said deceased, on motion obtained a decree or order of the court of probate for the district of Hartford on the 24th of June, 1761, appointing and impowering Messrs. Ozias Goodwin, Daniel Skinner and Richard Edwards, or any two of them, to make a distribution of said real estate to and among them, the said cousins to said deceased, in equal shares, who accordingly afterwards did make a distribution thereof according to the order and decree aforesaid, which distribution being by two of said persons, *viz:* the said

Goodwin and Edwards, returned into the office of said court under their hands, the same was afterwards, *viz:* at a court of probate held at Hartford for the district of Hartford on the first Tuesday of September, 1761, approved by said court and ordered to be kept on file: that from the order and decree of said court of probate, as well in ordering said distribution as in approving the same, the said Anne the mother appealed to the superior court held at Hartford on the first Tuesday of September, 1761, which cause afterwards by legal removes came finally to the superior court held at Hartford on the first Tuesday of September, 1762, where on hearing the parties in said case and the said matters of fact being all conceded to be true as aforesaid, the said superior court did affirm the judgment, order and decree of said court of probate in ordering and approving of such distribution in the form aforesaid, and awarded costs against the said Anne the petitioner, and entered their judgment on record accordingly; and the said Anne, the mother to said deceased, complaining said court of probate in ordering and approving said distribution, and the said superior court in affirming the same and in awarding the costs as aforesaid, manifestly erred and missed the law, for that upon the death of the said Joseph Buckingham, Esq^r. his [86] real estate passed immediately to and vested in the said Anne his mother, she being next of kin to said deceased; praying that said order and decree of the said court of probate and the said judgment of the said superior court may be reversed &c.: It is thereupon resolved by this Assembly, that in the judgment and decree of said court of probate in ordering and approving of the said distribution in the form as aforesaid, and in the judgment of said superior court in affirming the same, there is manifest error, and that the aforesaid order and decree of said court of probate, and the judgment of said superior court, be reversed, and the same is hereby reversed, set aside and made void.

Upon the petition of Ozias Goodwin, of Hartford in the county of Hartford, representing and complaining that on or about the first day of June, 1759, the petitioner and one John Gilman, of said Hartford and since deceased, executed their certain obligation of that date to Peter Mallet, of Stratford in Fairfield county but since deceased, for the sum of four hundred pounds New York money, with interest, and that since that time Peter Mallet and Mary Mallet, both of said Stratford, executors of the last will and testament of said deceased Peter Mallet, recovered judgment against said Goodwin on the

aforesaid obligation at a county court held within and for said Fairfield county, for the sum of £388 11*s.* 4*d.* money aforesaid, by default; the said Goodwin further complaining that there was sundry large payments made on said obligation more than were ever indorsed thereon or any allowance made to said Goodwin for in rendering judgment as aforesaid on said obligation, so that judgment ought not to have been rendered against him for more than the sum of about £120 0 0 money aforesaid, and that since the rendering the aforesaid judgment said Goodwin hath paid towards satisfying said judgment the sum of £39 17 0, lawful money, and that there is now not more than the sum £100 0 0 New York money, really due in equity for the satisfying said judgment; thereupon praying this Assembly that a committee may be appointed to hear and examine the matters aforesaid, and also the parties, concerning the same, and thereof to report to this Assembly what is in equity due on said judgment, both for debt and cost, as per petition on file appears: Resolved by this Assembly, that Seth Wetmore, Jared Ingersoll and William Sam[l] Johnson, Esq[rs], be and they are hereby appointed a committee with full power and authority to hear and examine all the matters in said petition referred, and also to examine the parties concerning said matters, and thereupon to report to this Assembly what they shall find in equity due to said executors for the satisfying the aforesaid judgment.

Upon the memorial of Jabez Fitch, Stephen Frost, John Bacon, and the rest of the inhabitants of the town of Canterbury, by their agents John Curtiss and Obadiah Johnson, representing the grievance of said town by means of a decree or resolve of this Assembly in October last, relative to a bridge to be built and maintained for the future by said town of Canterbury across Quinebaug River and at the place where a bridge called Butt's Bridge, built and maintained by a voluntary subscription, formerly stood and was lately carried off by means of a mill-dam voted by said town to be kept up near said bridge across said river, and shewing that while said dam stood a bridge rebuilt at that place could not stand &c., as per memorial on file: Wherefore it is granted and ordered by this Assembly, that the bridge referred unto in the aforesaid memorial be erected by the town of Canterbury in any convenient place across the said river not exceeding three rods to the southward of the same place where the said Butt's Bridge formerly stood, which being accordingly built shall be allowed and deemed a compliance with the former order and resolve in this affair on the part of said town, as if such bridge had been erected at the particular place aforesaid.

Upon the petition of Jonathan Fowler of Guilford, against Titus Culver of Wallingford, preferred to this Assembly in May, 1761, complaining of fraud in the sale to the petitioner of a certain pretended Indian right of land belonging to one Metoxen, an Indian native; further shewing that the said Culver had obtained judgment against the petitioner before New Haven county court held April first Tuesday, 1761, on a note for £10 0*s.* 0*d.* given to said Culver by the petitioner for the supposed right; praying to have said judgment set aside &c.: whereupon a committee was appointed to enquire into and make report of what they should find in the premises, which committee have reported that there was imposition, deceit and collusive conduct on the part of said Culver in putting off said pretended right, and that the petitioner had not been able to obtain anything by force of said sale; which report hath been accepted: Whereupon it is resolved by this Assembly, that the aforesaid judgment of said county court rendered upon said note shall be, and the same is hereby, set aside, and the said note is hereby declared null and void.

[87] Upon the petition of Joseph Lindsey jun^{r}, Josiah Fowler, Daniel Maltbie, Timothy Hoadly, Joseph Lindsey, Amos Harrison, Benjamin Maltbie, Josiah Talmage and Daniel Pond, all of Brandford, and Abel Munson, Titus Cook, Caleb Culver, Samuel Culver, Joseph Bartholomew, of Wallingford, William Lewis of Durham, Isaac Waterman of Midletown, Abner Smith, Sam^{l} Hubbard and Elihu Johnson, of Haddam, against Titus Culver of Wallingford, preferred to this Assembly in May, 1761, complaining of fraud in the sale to the petitioners of a certain pretended Indian right of land belonging to one Metoxen, an Indian native, praying to have certain notes, by them, the petitioners, given for the purchase of said lands, vacated: whereupon a committee was appointed to enquire into and report what they should find in the premises, and which they did, and made their report to this Assembly in favour of the petitioners, *viz:* that there was imposition, deceit and collusive conduct on the part of said Titus Culver in putting off said pretended right and obtaining said notes, and that the petitioners had not been able to obtain anything by force of said sale; as by the report may more fully appear, which report is accepted: Whereupon it is resolved by this Assembly, that the said several notes referred to and described in the said petition be, and they are hereby declared to be, null and void, and of no effect and force.

Upon the report of Messrs. Hezekiah Huntington, Daniel Lothrop and Nathaniel Brown, who were a committee appointed

by this Assembly at their sessions in October last to enquire and examine into the disposition of the whole estate of Colo. John Williams of Stonington, deceased, to and among his children and grandchildren by will &c., and also to consider what sum the remaining debts due from the estate of said deceased amount to, which cannot be discharged by the provision made for that purpose by said deceased in his will &c., and also to determine who of said children and grandchildren, or whether all &c., ought to contribute to the payment of the same, and in what proportion &c., as per report on file: Resolved by this Assembly, that said report of said committee be and the same is hereby accepted and approved. And thereupon it is further resolved and decreed by this Assembly, that the aforesaid children and grandchildren of said John Williams, deceased, pay to Mr. John Williams of said Stonington, executor to the last will and testament of said deceased, the sum of one thousand and twenty-three pounds fifteen shillings and sixpence, lawful money, to pay and discharge the aforesaid remaining debts due from the estate of said deceased, and that the same be paid by said children and grandchildren in the proportion as mentioned in said report, *viz:* That

John Williams pay the sum of	£ 32	16	9
William Williams pay the sum of	8	18	8
Thomas Williams pay the sum of	152	10	6
The grandchildren of said deceased, the heirs of Robert Williams, deceased, pay the sum of	157	9	3
George Williams pay the sum of	370	3	1
Edward Williams pay the sum of	248	10	11
Desire Cheesbrook, the wife of Mr. Amos Cheesbrook, pay the sum of	18	3	2
Thankfull Dennison, the wife of Mr. Avery Dennison, pay the sum of	18	4	8
Mary Wheeler, widow, pay the sum of	16	18	4

It is also further ordered and decreed by this Assembly, That in case any of the aforesaid persons shall neglect or refuse to pay the sum hereby decreed for them severally to pay, as aforesaid, within one month from the eleventh day of June next, with interest for the same from said 11th of June, that then on such neglect or failure, the same being duly certified to the judge of probate for the district of New London, the aforesaid executor is hereby substituted and fully impowered to make sale of so much of the real estate of said John Williams, deceased, given by said will to such person or persons so refusing or neglecting, as shall be sufficient to pay and sat-

isfy the sum and interest such person or persons are ordered to pay in manner abovesaid, respectively, and incident charges arising on such sale; said executor taking directions of said judge of probate for the district of New London therein.

Upon the report of Messrs. John Chester, Jonathan Trumble and Daniel Lothrop, a committee appointed by this Assembly to look into the several matters mentioned in the petition of Anne Morrison, widow and relict of Doct. Normand Morrison of Hartford, deceased, and one of the executors of the last will of said Normand, also late widow and the only surviving executor of Capt. John Smith formerly of said Hartford, deceased, and George Smith, William Smith, Robert Nevins and Mary his wife, all of said Hartford, said George, William and Mary being the only children and heirs of the said deceased John, and Daniel Marsh jun^{r} and Anne his wife, John Walker and Marion his wife, and William Knox and Jennet his wife, all of said town, the said Anne, Morrison, [*Marion*] and Jennet being the only children, and Normand Morrison and Margaret Morrison the only grandchildren of said Normand, deceased, appearing by their guardian, the said Anne, representing that certain difficulties had arisen among them touching the rights of the parties relative to the estates of the said Smith and Morrison, and by reason of some peculiar circumstances said difficulties could not be settled by suits at law, and the said Anne Mor-
[88] rison, widow, || having deceased since the first appointment of said committee, and they having been reappointed and impowered by this Assembly at their sessions in October last to go through with the matters whereto they were appointed as aforesaid: And whereas the committee having now reported that all said matters referred to as aforesaid have been by them considered, and that it is their opinion that there was due to the heirs of the said John Smith the sum of £635 7 7, lawful money, out of the estate of the said Normand, deceased, and that there is due and ought to be paid to the said Robert Nevins and Mary his wife, for her part and share of said sum, £200 0 0, lawful money, with the interest thereof from the 4th day of June, 1763, which now is the only sum remaining unpaid, the said George Smith and William Smith having already received their parts, which amounted £435 7 7, like money: It is therefore resolved by this Assembly, that the estate of the said Normand Morrison, deceased, stand charged with the said sum of £200 0 0 with interest, to be paid to the said Robert Nevins and Mary his wife by said John Walker, who is the only acting executor of the

said last will and testament of said Normand, deceased, of said deceased's estate in his hands, and that in case of his failure therein the said Robert and Mary shall have execution awarded against the said executor in due form, signed by the Secretary, for the levying the aforesaid sum and interest, being £212 0 0 in the whole. *Execution granted July 3d*, 1764.

Upon the memorial of Joseph Meacham, Cummins Pease, Israel Kibbee, Elizur Talcott, John Meacham, Peletiah Pease, Samuel Bartlet, Samuel Billings, Aaron Kibbee, Zacheus Haunchet, Jacob Winchel, Benjamin King, Ebenezer Allen, Samuel Easton, Sam[l] Easton jun[r], Nathan Tiffany, Benja. King jun[r], Joseph Hills, Joseph Meacham jun[r], David Meacham, Moses Meacham, Eldad Kibbee, Thadeus Billings, Joel King and John Tiffany, some of the town of Suffield, some of the town of Somers, but mostly of the town of Endfield, all within the county of Hartford, representing that they are all either members in full communion or constant attenders with the Baptist church or society who carry on public worship in said Endfield according to the Baptist manner and form, and are called and known by the denomination of the Baptist church in said Endfield under the pastoral care of the said Joseph Meacham first named, who is their elder or minister; and of Noah Alden, Thomas Eaton, Daniel Markham, Josiah Drake, Uriah Richardson, Elias Lee, Nath[l] Monger, Edward Cobb, Noah Cross, John Ward, Joseph Chamberlain, Joseph Webster, John Butler, Nathaniel Drake, Isaac Holms, John Lindsey, Seth Washburn, Daniel Markham jun[r], Isaac Heath, Leonard Pike, Gershom Richardson, David Washbourn, Christopher Thresher, Nathan Aldridge, Josiah Bradley and Samuel Eaton, some of the town of Stafford, some of the town of Wellington, some of the town of Tolland, and some of the town of Windsor, all within said county of Hartford, representing that they are of the Baptist church or society who attend public worship and ordinances in the said town of Stafford, under the pastoral care of the said Noah Alden, who is their elder or minister; praying to be exempted from paying anything towards the support of the ministry or building of meeting-houses in the several towns and societies whereto they respectively belong &c.: Resolved by this Assembly, that the memorialists be and they are hereby exempted from paying taxes for the support of the established ministry, building and repairing meeting-houses, in the several towns and societies where they respectively belong, during the time public worship shall be constantly attended in any of said towns mentioned in said memorial,

by a congregation of the Baptists according to the custom and usage of the churches and congregations of that profession, and during the time said memorialists shall reside in the said towns where they severally do belong as aforesaid and do steadily attend said worship as aforesaid.

Upon the memorial of John Chester of Groton, administrator on the estate of John Chester jun^{r}, late of said Groton, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £75 16 0, L. money; praying for liberty to sell so much of the real estate of said deceased as to raise the sum of £75 16 0, L. money, for paying said debts, with the incident charges &c., as per memorial on file: Resolved by this Assembly, that said memorialist have liberty and he is hereby impowered, to sell so much of the real estate of said deceased as to raise said sum of £75 16 0 lawful money, for the purpose aforesaid, together with the incident charges arising on said sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Joseph Peck, conservator of the person and estate of Ebenezer Peck, of New Haven in New Haven county, shewing to this Assembly that the debts due from the said Ebenezer surmount his moveable estate the sum of £46 10 7, and praying for liberty to sell so much of the real estate of the said Ebenezer as to raise said sum: Resolved by this Assembly, that the said Joseph Peck have liberty and he is hereby impowered, to sell so much of the real estate of the said Eben^{r} Peck as to raise said sum of £46 10 7 with the incident charges arising on such sale.

[89] Upon the memorial of Aaron Brunson and others, inhabitants of a tract of land lying in Farmington in Hartford county, commonly called the Blue Hills, bounded as in said memorial is mentioned and described, being a winter parish and school district in said Farmington, representing to this Assembly that notwithstanding the priviledges already granted them by act of Assembly, they still labour under great difficulties and inconveniences, and cannot enjoy God's worship and ordinances in such perfection as they earnestly desire and think they might without prejudice to their neighbours; praying that the western part of the parish of Kensington which lies northward of and adjoining to the lands possessed by the memorialists may be annexed to them, and the whole made and constituted a distinct ecclesiastical society, with the usual priviledges and immunities &c., as per memorial on file: Resolved by this Assembly, that Colo.

Timothy Stone, Capt. John Fowler and Mr. Thomas Darling be, and they are hereby, appointed a committee to repair to and view the circumstances and situation of the memorialists and also of the parish of Kensington, hear all parties concerned, and consider whether it be expedient that the memorialists be made a society or not, and what part, if any, of said parish of Kensington shall be annexed to them, and whether said society of Kensington shall be divided and how, and generally whatever may be advisable to be done to settle all controversies relating to the memorialists and said society of Kensington, and to report what they shall find, with their opinion thereon, to the Assembly at their session in October next.

Upon the memorial of Thomas Hart and others, inhabitants of the society of Kensington, representing to this Assembly that the meeting-house in said society for many years last past has been decaying and for want of proper and seasonable repairs is become very indecent and not fit and comfortable for the purpose of public worship, and that the different sentiments of the inhabitants of said society are such that they cannot by vote agree to repair said house or build another; further representing that said house was at first built by order of this Assembly; praying for the interposition of this Assembly &c.: Resolved by this Assembly, that Colo. Timothy Stone, Capt. John Fowler and Mr. Thomas Darling be a committee, and they are hereby appointed a committee, to repair to said society of Kensington and view the circumstances and situation thereof and of the meeting-house therein, and hear all persons concerned, and to consider whether it be expedient to repair the same or will be more beneficial to said society to build anew, and also to consider by whom the expence of preferring this memorial and the charge which has been or may arise thereon ought to be sustained and paid, and report what they shall find in the premises, with their opinion thereon, to this Assembly at their sessions in October next.

Upon the memorial of Dan Throop, Jonathan Lyman, Benajah Bill, Thomas Loomiss jun^{r} and William Williams, selectmen of the town of Lebanon in the Colony of Connecticut, representing to this Assembly that a certain Indian squaw by the name of Debb, of the Pequot tribe, born and brought up at Groton, came into said town about 5 or 6 years since and lived about from place to place the most of the time since; that in the month of January, 1763, she was in said town of Lebanon delivered of two male bastard negro children; that for the necessary preservation of said children the

said selectmen have, at the expence of the town, supported and taken care of said children, and that they, said children, are still a charge on said town; further shewing, as by certificate, that they have already expended and paid the sum of £13 15 0, L. money, for their support, and that more is yet due and unpaid on the same account; praying for liberty to bind out, assign, and dispose in service said two negro children, born and supported at their expence, so long as shall be necessary to indemnifie said town for and from such expence, only not exceeding their arriving to thirty years of age &c., as per memorial on file: Resolved by this Assembly, that said selectmen have liberty and they are hereby authorized and impowered, to bind out, assign and dispose in service at their best discretion the said two negro bastard children so long as they shall find necessary to indemnifie the said town for and from the expence incurred for their support as aforesaid, only not exceeding their not arriving to the age of twenty-five years, which binding shall be good and effectual for holding such children for and during the term aforesaid.

Upon the memorial of Elisha Brocket, administrator *cum testamento annexo* on the estate of David Brocket late of Wallingford, deceased, representing to this Assembly that since the former sale of lands by act of Assembly for the payment of the debts of said deceased formerly exhibited, there hath been allowed by the court of probate for the district of New Haven the sum of £3 15 11 further debt due from said estate, which he hath not moveable estate in his hands to pay, and praying for liberty to sell so much real estate as may be sufficient to pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate of said deceased as may be sufficient to pay said sum of £3 15 11 with incident charges arising on such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Daniel Tyrrel, of Stratford in Fairfield county, administrator on the estate of Hez^{h} Tyrrel late of said Stratford, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Fairfield surmount the moveable estate of said deceased the sum of £6 16 7, lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c., as per memorial on file: Re-

solved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate as shall be sufficient to pay and satisfy said sum of £6 16 7, L. money, with the incident charges arising thereon; taking the directions of the court of probate for the district of Fairfield therein.

[90] Upon the memorial of John Stone and Eleazer Stone, both of Milford, executors of the last will and testament of Joseph Stone late of Milford, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of New Haven surmount the moveable estate of said deceased the sum of £53 5 7½, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted to them, to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £53 5 7½ with the incident charges arising thereon; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Thomas Durkee, of Woodbury in Litchfield county, administrator on the estate of Abijah Durkee late of Litchfield in the district of Litchfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of the [deceased] and a former account allowed the sum of £21 15 9; praying for liberty to make sale of so much of the real estate of the said deceased as to answer the sum &c., as per memorial on file: Resolved by this Assembly, that the said Thomas Durkee have liberty, and liberty is hereby granted unto him the said Thomas Durkee, to make sale of so much of the real estate of the said Abijah, deceased, as to answer and pay the said sum of £21 15 9 with the incident charges on said sale arising; taking the direction of the court of probate in the district of Litchfield therein.

Upon the memorial of Samuel Jones, of Stratford in the county of Fairfield, administrator on the estate of James Dunlop late of said Stratford, deceased, representing to this Assembly that the debts (already appearing and allowed by the court of probate) due from said estate do surmount the moveable estate of said deceased the sum of £195 11 4, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient as to raise said sum &c.,

as per memorial on file appears: Resolved by this Assembly, that the said memorialist have liberty, and liberty and authority is hereby granted to him, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum together [with] the incident charges of such sale: taking the advice of the court of probate for the district of Fairfield therein.

Upon the memorial of Judah Hart and Sarah Hart, both of Farmington, the said Sarah being wife to said Judah and before their intermarriage she was administratrix on the estate of James North late of Canaan, deceased, representing to this Assembly that since the sale of land ordered by the General Assembly for the payment of debts due from the estate of said deceased, more debts hath appeared against said estate to the amount of £10 10 6, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to satisfy said sum &c., as per memorial on file: Resolved by this Assembly, that Daniel Hosford of Canaan have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as to pay said sum of £10 10 6 with the incident charges arising thereon; taking the directions of the court of probate for the district of Sharon therein.

Upon the memorial of Johnson Quiomps, Amos Miller, Moses Shuntup, Easter Tugwis, Abner Cuttops, John Quiomps, Jacob Sowers, Peter Pawhege, Elizabeth Pawhege, Samuel Apes, and Simon Sockient, Pequot Indians living at Stonington, in behalf of themselves and the rest of said Pequots, shewing to this Assembly that Isaac Huntington and Ebenezer Backus, Esq^rs, of Norwich, were by this Assembly appointed their overseers, which said Isaac Huntington, Esq^r, is since deceased, and praying that this Assembly would appoint Mr. Israel Hewit jun^r, of said Stonington, their overseer in room of said Isaac Huntington, Esq^r, as per memorial on file: Resolved by this Assembly, that the said Israel Hewit jun^r be appointed, and he is hereby appointed, an Overseer of said Indians, in the room of said Isaac Huntington, Esq^r, deceased, to take the oversight of said Indians and their estate in conjunction with said Eben^r Backus, Esq^r.

Upon the memorial of Oliver Fairchild, of Newtown in Fairfield county, conservator over Peninah Turner of said Newtown, representing to this Assembly that he hath expended towards the support of the said Peninah Turner since the sale of land ordered by the General Assembly for that purpose,

the sum of £19 0 7, L. money, the same being allowed by the county court held in Fairfield in April last; praying for liberty to sell so much of the real estate of said Peninah as to satisfy said sum with the incident charges &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of the said Peninah as may be sufficient to satisfy said sum of £19 0 7 with the incident charges arising thereon.

[91] Upon the memorial of Thomas Parmerlee, Martin Smith, Abraham Kirby, Joseph Kirby, Gilbert Hall, Elijah Smally, Thomas Parmerlee jun^{r} and John Gould Parmelee, all of Litchfield in the county of Litchfield, shewing to this Assembly that they are settled in the southwest part of said Litchfield at the distance of eight and nine miles from the place of public worship in said Litchfield, and some of them within the distance of three miles, and all of them within the distance of four miles from the place of public worship in the society of Judea in Woodbury in said county &c.; praying this Assembly to annex the southwest part of said Litchfield to the said society of Judea and make the same a part of said society during the pleasure of this Assembly, *viz:* all the lands within the limits following, Beginning at the northeast corner of said Judea and runs northerly by said Thomas Parmerlee's farm on which he now dwells, so as to include said farm, to the northeast corner of Stephen Hand's lot of land; thence westward, so as to include said Gilbert Hall's on which he now lives, to the northeast corner of said Joseph Kirby's farm on which he now lives; thence still westward to the northwest corner of said Kirby's farm; thence still westward to the northwest corner of said Parmelee's land by Shepauge River; thence southward by said river to the southwest corner of said Litchfield; from thence eastward to the first-mentioned corner; and praying to be exempted from paying minister's rates, school rates, meeting house rates, and other society rates in said Litchfield, and be allowed to pay the said rates in said society of Judea; praying that they and all who may hereafter settle on the lands above described may be exempted from attendance on trainings and other military duty in said Litchfield, and be annexed to the military company in said society of Judea, as per memorial on file: Resolved by this Assembly, that the lands within the limits and boundaries above described be annexed to and remain a part of said society of Judea, and that the memorialists and all others that may live within said limits shall be exempted from paying minister's rates, school rates, meeting-house rates, and other society

rates in said Litchfield, and shall pay said rates in the said society of Judea during the pleasure of this Assembly. And it is further resolved, that the memorialists and all others that may live within the limits above described shall be exempted from attendance on trainings and other military duty in said Litchfield, and that they be and they are hereby annexed to the military company in said society of Judea, and shall do all military duty in said company during the pleasure of this Assembly.

Upon the memorial of Rhoda Beach of Stratford, executrix of the last will and testament of David Beach late of said Stratford, deceased, representing to this Assembly that the moveable estate of said deceased is not sufficient to pay the debts and charges due from said estate, therefore praying that so much of the real estate of said deceased may be sold as will be sufficient to pay the debts and charges that surmount said moveable, being £24 0 6, lawful money, as per memorial &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to her, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £24 0 6, L. money, with the incident charges arising thereon; taking the directions of the court of probate for the district of Fairfield therein.

Upon the memorial of Christopher Holms, Samuel Gates jun^{r} and William Church, selectmen of the town of East Haddam in the county of Hartford, representing to this Assembly that one Jonathan Hinckley of said town was in the year 1757, with the advice of Joseph Spencer, Esq^{r}, a justice of peace for said county, taken with his family into the care of the selectmen of said town, he being likely to come to want by mismanagement and bad husbandry; that they set up notifications and took an inventory of his estate according to law; that said Hinkley was much in debt and had several helpless children, which soon swallowed up all his personal estate, and that said selectmen at sundry times heretofore, on application to this Honourable Assembly, obtained liberty for sale of part of his lands, the last of which applications and liberty was in May, 1763, and that said Hinkly and family still continue under the care of said selectmen, and one of his children being very expensive through lameness and impotency, the charge of supporting said family since May, 1763, to the present time amounts to the sum of £25 0 0, lawful money, and that there is no moveable estate to pay any part thereof; therefore praying for liberty to sell so much of said Hinkley's real estate as to satisfy and pay said sum with the incident charges &c., as

per memorial on file: Resolved by this Assembly, that said Samuel Gates jun^{r} and William Church be impowered, and they are hereby impowered, to make sale of so much of the real estate of said Hinkley as will be sufficient to pay said sum of £25 0 0, L. money, with the incident charge of sale, to be by them improved for the purpose aforesaid.

On the memorial of Mary Wolcott, administratrix on the estate of Ephraim Wolcott of Windsor, deceased, for liberty to sell of the real estate of the said deceased so much as will raise the sum of £85 0 0, L. money, for the payment of the debts due from said estate with incident charges &c.: Resolved by this Assembly, that the said Mary Wolcott, the said memorialist, sell of the real estate of the said deceas'd so much as will raise the sum of eighty-five pounds lawful money with incident charge of sale; taking advice of the court of probate for the district of Hartford therein.

[92] Upon the memorial of Josiah Rogers, one of the inhabitants of the society of Northford, and the rest of said society, representing to this Assembly that soon after the making of the said society a number of the inhabitants of the first society of Wallingford living on farms contiguous to said society, on their application to the General Assembly for that purpose, were annexed to said society; that the meeting-house in said society was placed with equal regard to said annexed inhabitants as well as the rest of said society; that the annexed inhabitants make one fifth part of said society, and that the taking off such a quantity of the list of said society would greatly weaken said society, and that difficulties have arisen in said society by the heirs &c. of said annexed inhabitants, who refuse to pay their rates to said society; praying to this Assembly for relief in the premises, as per memorial on file: Resolved by this Assembly, that the northern bounds of the said society of Northford shall be and remain as follows: Beginning at the Pauge Pond, so called, at the northeast corner of said annexed lands, from thence to run a direct line to the northwest corner of said lands which is the northwest corner of a certain lot now belonging to Abel Munson of said Northford lying near upon the top of a mountain or ledge, called Street's Ledge, from thence to be continued on the height of the said ledge, as the ledge runs, to a heap of stones, which is the known bounds of New Haven, Wallingford and Brandford: and that all the inhabitants south of the abovesaid line shall be and belong to the said society of Northford.

On the memorial of Joseph Enos and Mary Loomiss, executors to the last will and testament of James Enos late of Un-

ion, deceased, for liberty to sell of the real estate of said deceased so much as will raise the sum of £76 10 5 lawful money, for the payment of the debts due from said estate with incident charges &c.: Resolved by this Assembly, that the said Joseph Enos and Sarah Loomiss, memorialists, sell of the real estate of the said deceased so much as will raise the sum of £76 10 5 lawful money, with incident charges of sale; taking the advice of the court of probates in the district of Stafford therein.

On the memorial of William Rockwell, administrator on the estate of Seth Rockwell late of Midletown, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Midletown surmount the moveable part of the estate of said deceased the sum of £14 17 1¼ lawful money, and thereupon praying for liberty to sell real estate: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of said deceased as will procure the aforesaid sum of £14 17 1¼, lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

Upon the memorial of Nathaniel Benidict, of Norwalk in Fairfield county, conservator over Thomas Raymond of said Norwalk, an impotent person, representing to this Assembly that he hath expended towards the support of said Thomas Raymond the sum of £28 9 8, L. money, the same having been examined and allowed by the county court held in Fairfield in April last; praying for liberty to sell so much of the real estate of said Thomas Raymond as shall be sufficient to pay said sum &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said Thomas Raymond as shall be sufficient to pay said sum of £28 9 8, L. money, with the incident charges arising thereon.

Upon the memorial of Hannah Lacey of Fairfield, administratrix on the estate of David Lacey late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £7 5 3¾, L. money, and praying for liberty to sell so much of the real estate of said deceased as will pay and satisfy said sum of £7 5 3¾ with incident charges arising on such sale: Resolved by this Assembly, that the said Hannah Lacy have liberty, and liberty and authority is hereby granted her, to sell so much of the real estate of the said

David Lacey as will be sufficient to pay and satisfy said sum of £7 5 3¾ lawful money, with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Nehemiah Betts of Norwalk, administrator on the estate of Timothy Betts late of said Norwalk, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Fairfield surmount the moveable estate of said deceased the sum of £51 0 0, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay and satisfy said sum of £51 0 0 with the incident charges arising thereon: taking direction of the court of probate for the district of Fairfield therein.

[93] Upon the memorial of Ezra Hoit junr, of Norwalk in Fairfield county, conservator over Thomas Fullar of said Norwalk and his estate, he being an impotent person, representing to this Assembly that the memorialist hath expended towards the support of the said Thomas Fullar the sum of £28 3 0, L. money, the same being examined and allowed by the county court held in Fairfield in April last; praying for liberty to sell so much of the real estate of said Thomas Fullar as shall be sufficient to pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said Thomas Fullar as shall be sufficient to pay and satisfy said sum of £28 3 0 with the incident charges arising thereon.

Upon the memorial of John Harpin junr, of Milford, shewing to this Assembly that he, being nominated by the civil authority &c. in said town to keep a tavern the current year, by reason of certain accidents could not obtain such nomination after the month of January was out, and so failed of obtaining a licence &c.; praying to be allowed to keep such tavern &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty to keep a house of public entertainment in said town of Milford the current year, on his giving bond before the county court in New Haven county to observe all the laws relating to tavern-keepers.

Upon the memorial of Damaris Burch, administratrix on the estate of Robert Birch late of said Killingslee, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the whole personal estate of said deceased the sum of £40 10*s.* 2*d.* L. money; praying for liberty to sell so much of the real estate of said Robert Birch as to raise said sum of £40 10 2, L. money, for the purpose of paying said surplusage of debts of said deceased, as aforesaid, with incident charges of sale, as per memorial on file: Resolved by this Assembly, that said administratrix have liberty and she is hereby authorized and impowered, to make sale of so much of the real estate of said deceased as to raise said sum of £40 10 2, lawful money, for the payment of said debts, with the incident charges arising on said sale; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of Hannah Burnham and Ezra Burnham, administrators on the estate of Aaron Burnham late of Hartford, deceased, representing to this Assembly that the debts and charges due from said deceased's estate surmount the personal estate the sum of £63 19 9, L. money, and that they have no personal estate to pay the same, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and they are hereby fully impowered, to make sale of so much of the real estate of said deceased as to procure said sum of £63 19 9, L. money, for the payment of said debts, with incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Paul Londree of New Milford, representing to this Assembly that the memorialist on the 9th day of April, 1764, by accident had his house consumed by fire, together with a sum of money to the amount of £8 17 6 L. money, principal, in bills of a different date, *viz:* two 20*s.* bills of 1760 date, one forty-shilling bill of 1762 date, three 20*s.* bills of 1762 date, one 20*s.* bill of 1763, and three 5*s.* bills of 1762 date, and one 2*s.* 6*d.* bill, date uncertain; praying for relief in the premises &c., as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony be ordered, and he is hereby ordered, to pay unto the memorialist out of the treasury of said Colony the sum of £9 5 1 in bills of credit of this Colony.

Upon the memorial of Ezra Shaler of Haddam, shewing to this Assembly that on or about the 20th day of June, 1763, his pocket-book by accident slipt out of his pocket and fell

into Connecticut River, having in it at the same time one 20*s.* bill and two 5*s.* bills of the Colony of Connecticut emitted March 26, 1761, which bills were irrecoverably lost in said river, and praying that a sum equal thereto be paid him out of the treasury of this Colony: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered and directed to pay, to the said Ezra Shaler out of the treasury of this Colony a sum in the bills of credit of this Colony equal to the aforesaid three bills.

Upon the memorial of Abner Scovel, administrator on the estate of Arter Scovel late of East Haddam, deceased, representing to this Assembly that the debts due from the estate of Arter Scovel late of East Haddam, deceased, surmount the personal estate of said deceased the sum of £71 8 11 lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum: Resolved by this Assembly, that the said Abner Scovel have liberty, and liberty is hereby granted to said Abner Scovel, to sell so much of the real estate of said deceased as will be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

[94] Upon the memorial of Moses Allen, shewing to this Assembly that he, being in the campaign in the year 1759, was drafted to go under the command of Major Rogers to annoy the Indians at St. Francois, where he suffered greatly and was rendered unable to support himself &c.; praying for relief in the premises &c., as per memorial on file: Resolved by this Assembly, that the said Moses Allen have paid him out of the Colony treasury twenty pounds in bills of credit; and the Treasurer of this Colony is hereby ordered to pay the said Moses Allen the said sum of £20 0 0 out of the said treasury.

On the memorial of John Kirby and Ruth his wife, administrators on the estate of Amos Coleman late of Midletown, deceased, shewing to this Assembly that the debts, charges &c., due from said estate surmount the moveable estate of said deceas'd the sum of £33 13 6½, and thereupon praying for liberty to sell real estate, as per said memorial on file: Resolved by this Assembly, that the memorialists have liberty, and they are hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £33 13 6½, L. money, to enable them to pay the debts aforesaid, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

On the memorial of Daniel Francis of Killingsworth, administrator on the estate of Benjamin Spencer late of Haddam in the district of Middletown, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceas'd surmounts the moveable estate of said deceased the sum of £20 14 6, L. money; praying for liberty to sell real estate, as per memorial on file: Resolved by this Assembly, that the said Daniel Francis have liberty and he is impowered, to make sale of so much of the real estate of said deceased as will raise said sum of £20 14 6, L. money, with the incident charges of said sale; taking the direction of the court of probate in the district of Middletown therein.

On the memorial of Hezekiah Humphry, Esq^{r}, administrator on the estate of James Bunce late of Symsbury in the district of Hartford, deceased, to this Assembly for liberty to make sale of so much of the real estate of the said deceased as will raise the sum of £12 13 10½, L. money, for the payment of the debts due from said estate: This court grants liberty to the said Hezekiah Humphry, administrator on the estate of the said James Bunce, to sell so much of the real estate of the said deceased as will procure the sum of £12 13 10½, L. money, with necessary charge arising thereon; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Mary Andruss, administratrix on the estate of Lieut. David Andruss late of Farmington, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, with necessaries set to the widow, surmount the moveable estate of the said deceased the sum of £83 8 0, lawful money; praying to this Assembly that the memorialist may be impowered to make sale of so much of the real estate of said deceased as to raise the sum of £83 8, lawful money, with the incident charges arising on said sale: Resolved by this Assembly, that the memorialist have liberty, and the memorialist is hereby impowered, to make sale of so much of the real estate of the said deceased as to raise said sum of £83 8 0 with incident charges arising on said sale; she taking the directions of the court of probate in the district of Hartford therein.

Upon the memorial of Moses Holms and Mary Stoel, both of Willington, executors of the last will and testament of David Stoel late of Willington, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Stafford surmount the moveable estate of said de-

ceased the sum of £65 19 5, L. money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted to them, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £65 19 5 with the incident charges arising thereon; taking the direction of the court of probate for the district of Stafford therein.

Upon the memorial of Ann Sedgwick, of Cornwall in Litchfield county, shewing that she liveth on a road greatly used by travelers and hath been for many years a tavern-keeper licenced according to law &c., and that thrô some misunderstanding the authority &c. of said Cornwall neglected to nominate her in the month of January last &c.; praying for licence to be a tavern-keeper to retail strong liquor &c., until the fourth Tuesday of April next, as per memorial on file: Resolved by this Assembly, that the said Ann Sedgwick have licence, and licence is hereby granted unto her, to be a tavern-keeper and retailer of strong liquors &c., until the fourth Tuesday of April next: provided that she, the said Ann Sedgwick, give bond to the county court in Litchfield county to observe all the laws respecting tavern-keepers.

[95] Upon the memorial of John Williams of Sharon, and Cyrus Marsh of Kent, both in the county of Litchfield, shewing to this Assembly that the memorialists, with others, were appointed by this Assembly at their sessions in October, 1761, to assist one William Turner in managing a lottery, called Housatonuck River Lottery, and that the memorialists with the rest of said managers, having taken all possible care to plan said lottery and to prepare the same for a draft, did meet together in Sharon aforesaid and finding a considerable number of their tickets unsold the said Turner, who had sold eight hundred and fifty-seven of said Tickets which he had kept in his own hands, did receive about two hundred more of said tickets of the rest of the managers, and soon informed the managers that he had sold them also: whereupon the managers proceeded and near upon finished the draft of said lottery, and before the managers could account amongst themselves the said William Turner died, having in his hands the aforesaid number of ten hundred and fifty-seven tickets to account for &c.; praying to this Assembly for their direction as to their future proceeding in the matter of said lottery, as per memorial on file: Resolved by this Assembly, that Increase Mosely, Bushnel Bostwick and Isaac Baldwin, Esq^{rs},

be a committee to enquire into the accounts of the memorialists and the rest of the managers severally concerning the monies each of them have received as managers of said lottery, and also to enquire into the estate of the said William Turner, deceased, and report the several accounts of said managers, together with what they find with regard to the estate of the said William Turner, to this Assembly at their sessions in October next.

Upon the memorial of Asahel Strong, Noah North and David Austin, all of Torrington in the county of Litchfield, listers of the town of Torrington for the year 1763, representing that Noah Marshal and Thomas Coe, both of Litchfield county, and Amasa Marshall, of said Torrington, being duly warned to give in a list of their several estates rateable in said town of Torrington, whereof they were possessed on the 20th of August, 1763, did wholly neglect and designedly refuse to exhibit to said listers any list of their said estates; that the memorialists afterwards gaining intelligence of their several estates as aforesaid did set the said Noah Marshall the sum of £35 0 0, the said Thomas Coe £32 12 0, and the said Amasa Marshall £148 8 0, in the grand list of said Torrington, as a fourfold assessment for their negligence and refusal as aforesaid: that the said persons so fourfolded, upon application to the authority and selectmen of said Torrington, did procure bills of abatement of said fourfold assessment; and the memorialists praying for relief &c., as per memorial on file &c.: Resolved by this Assembly, that each and every of the aforesaid bills of abatement granted and procured as aforesaid be null and void and for nothing esteemed.

Upon the memorial of Roger Billings and others, inhabitants in the town of Voluntown, in the north society in Stonington and in the second society in Preston, shewing to this Assembly that those of them in the town of Voluntown live in general ten miles from the meeting-house in said town; that those of them in said north society in Stonington and in the said second society in Preston are situate at six and five miles from the meeting-houses in said societies: that it would be greatly for the benefit and advantage, both civil and religious, of the inhabitants included within the following lines and limits to be made into a distinct ecclesiastical society: that is to say, Beginning at the Colony line where Putchauge River runs out of Paucommock Pond, from thence westerly bounding northerly by said river until it comes to a bridge over said river near the dwelling-house of Obadiah Roads in

said Voluntown, and from thence a west line until it intersect with Preston town line, then southerly with said town line until it comes to the north line of Peter Parke's land, then westerly including the lands of Peter Parks, Thadeus Cook and Joseph Bordman, to said Pauchaugc River, then crossing said river and extending westerly including the lands of John Gill and Ebenezer Benjamin to the dividing line between the first and second societies in said Preston, then southeasterly with said dividing line to Stonington north line, then southerly including the land of John Prentice and Amos Brown, and from thence a due east line to Mummousuck Pond in said Stonington, then northerly a straight line to the southwest corner of the town of Voluntown, then easterly with Voluntown south line until it comes to the Colony line, then northerly with said Colony line to the bounds first mentioned; and praying that the inhabitants and lands within the lines and limits aforesaid included may be made a distinct ecclesiastical society &c., as per memorial on file &c.: Resolved by this Assembly, that Zebulon West of Toland, Joseph Spencer of East Haddam, and Joshua West of Lebanon, Esq[rs], be and they are hereby appointed a committee to repair to the town and the societies aforesaid, view the circumstances and situation of said inhabitants, with the matters referred to in said memorial, and report with their opinion thereon to this Assembly at their sessions in October next.

Upon the memorial of the inhabitants of the first society in Haddam, representing that the county court in the county of Hartford in April, 1762, appointed Jonathan Hale, William Welles and William Pitkin jun[r], Esq[rs], a committee to fix a place for the building a meeting-house for divine worship in said society, who accordingly did execute said trust, and [96] affixed a ‖ place for the purpose aforesaid near the old meeting-house in said society, which was approved and established by said county court in November, 1762; that said place, nevertheless, is found to be inconvenient, and that the memorialists cannot agree to build at said place; praying to have said doings set aside &c.: Resolved by this Assembly, that the doings of said committee in affixing of said place, and of the said county court in establishing the same, be and the same is hereby set aside and made void, and that Capt. Elisha Williams and Capt. Thomas Curtice, of Weathersfield, and Mr. Isaac Lee jun[r], of Farmington, be and they are hereby appointed a committee to repair to said society and view the circumstances thereof, and to hear all parties concerned, and to affix and ascertain a place for building a meeting-house for

divine worship in said society, as they shall judge most equal and convenient for the whole, and make their report to this Assembly at their sessions in October next; all at the cost of the memorialists.

Upon the memorial of John Spencer of Killingsworth, shewing to this Assembly that some years past he purchased a dwelling-house in Killingsworth and was at large expence in repairing the same, and agreed with Abel Buel of Killingsworth for the exchange of the same for other lands; that before the deed from said Buel to said memorialist was compleated said Buel was apprehended for counterfeiting bills of credit of this Colony, for which he has since been convicted; that on account of the disability of said Buel at the time of executing his said deed he, said memorialist, is liable to be a great sufferer: praying for relief &c., as per memorial on file: Resolved by this Assembly, that Messrs. Nathaniel Hill of Guilford, Benjamin Gale of Killingsworth, and John Murdock of Saybrook be and they are hereby appointed a committee, to repair to said Killingsworth, enquire and examine into the matters referred to in said memorial, and report with their opinion thereon to this Assembly at their sessions in October next.

Upon the memorial of Abel Buel of Killingsworth, shewing to this Assembly that he was convicted of altering some of the bills of credit of this Colony, in consequence of which conviction is now confined in the gaol in New London in close prison where he has no means of support, is out of health, in danger of perishing &c.; praying for relief, as per memorial on file: Resolved by this Assembly, that the sheriff of the county of New London be and he is hereby directed, upon the said Buel's procuring sufficient bail to become bound in a penal bond of one hundred pounds money, conditioned that the said Buel shall be of good behaviour and not depart out of the limits of the town of Killingsworth without the special licence of this Assembly, to release the said Abel Buel from his imprisonment aforesaid.

On the memorial of David Cook, of Wallingford in New Haven county, shewing to this Assembly that he kept a house of public entertainment in said Wallingford the last year to good acceptance of all travellers thrô said town, and that thrô some misunderstanding the officers at their meeting in January last for nominating tavern-keepers neglected to nominate him, contrary to the mind of the greatest part of the civil authority present, and thereupon praying for licence &c., as per memorial on file: Resolved by this Assembly, that the

said David Cook have licence, and licence is hereby granted to him, to be a tavern-keeper and retailer of strong liquors until the first Tuesday of April next: provided that he, the said David, give bond to the county court in the county of New Haven to observe all the laws that are or shall be made respecting tavern-keepers.

Upon the memorial of Thomas Judd, representing to this Assembly that he is settled on a wedge of land not within the bounds of any township in this Colony, but is supposed to be within the jurisdiction right of the town of Symsbury; that by reason of his advanced age, want of estate &c., is unable to support himself, is in danger of perishing &c.; praying for relief &c., as per memorial on file: Resolved by this Assembly, that the town of Symsbury be and they are hereby ordered and directed forthwith to advance necessary relief for the said Thomas Judd and family, and continue such support accordingly until it be found by a legal tryal that some other town in this Colony are chargeable for their support. Always provided, that nothing in this resolve shall be understood to obstruct or prevent the town of Symsbury from recovering of any other town in this Colony who are or may be chargeable by law for the support of the said Thomas Judd &c. whatever the town of Symsbury shall be obliged to advance for the support of the said Thomas Judd.

[97] Upon the memorial of John Benton of Hartford and Elizabeth his wife, executors of the last will and testament of Josiah Bigelow late of said Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of said Josiah Bigelow, deceased, surmount the moveable estate of said deceased, over and above the former accounts exhibited and allowed, the sum of £36 14 0 lawful money; praying for liberty to make sale of so much of the real estate of said deceased as will raise said sum and the incident charges of sale: Resolved by this Assembly, that the said John Benton and Elizabeth his wife have liberty and they are hereby impowered, to make sale of so much of the real estate of the said Josiah Bigelow, deceased, as will procure the sum of £36 14 0, L. money, together with the incident charges of sale; taking the direction of the court of probate of Hartford district therein.

Upon the memorial of Moses Fish and others, inhabitants of the town of Voluntown, shewing to this Assembly that the said town of Voluntown is nigh seventeen miles in length, that there is but one ecclesiastical society in said town, that near as many of the inhabitants of said town are settled at and

near the extreme parts of said town as any other part thereof, that it is extream difficult and inconvenient for said inhabitants to attend the public worship at any one particular place, and praying to be made two distinct ecclesiastical societies &c., as per memorial on file &c.: Resolved by this Assembly, that Capt. Zebulon West of Tolland, Colo. Joseph Spencer of East Haddam, and Mr. Joshua West of Lebanon, Esq^rs, be and they are hereby appointed a committee to repair to said Voluntown, view the circumstances and situation of said inhabitants with the matters referred to in said memorial, and report with their opinion thereon to this Assembly at their sessions in October next.

Upon the memorial of Joanna Kent, of Suffield in the county of [Hartford,] widow of Moses Kent formerly of said Suffield, deceased, and administratrix on the estate of said Moses, shewing to this Assembly that the said Moses at the time of his death, which happened on or about the 10th day of March, 1743, was possessed of a considerable estate in lands, which descended to his only child and heir, Elias Kent of said Suffield, then of the age of four months; that the personal estate of the said Moses was but a little more than sufficient to pay his debts; that the said Elias hath been from his birth an idiot, wholly unable to take care of himself or to do any labour; that the said Joanna Kent, who was guardian to said idiot, hath wholly maintained and supported him for more than twenty-one years, and that in doing the same she hath expended at least £175 0 0, lawful money, more than she hath received out of the said Elias's estate, or the incomes thereof; that the said Joanna upon representation made of the improbability of the said idiot's ever having the exercise of reason to the county court in the county of Hartford in June, 1763, was by said court appointed conservator of the person and estate of the said Elias, and the said Joanna did thereupon exhibit her account for supporting &c. said Elias to the said court at their sessions in Hartford aforesaid in April last for their allowance and acceptance, and that said court being in doubt whether the law enabled them to allow any part of said account that was antecedent to the said Joanna's being appointed conservator as aforesaid, and that the said court did not allow said account or any part thereof, and praying for the interposition of this Assembly, that a committee may be appointed to enquire into the said account &c.: Resolved by this Assembly, that Capt. Josiah Bissell, and Mr. Alexander Wolcott, of Windsor, be a committee, and they are hereby appointed a committee, to examine and inquire into the accounts

and other matters referred to in the aforesaid memorial, and of what they find, with their opinion thereon, make report to the General Assembly to be holden at New Haven on the second Thursday of October next.

The Additions to the Lists of the respective Towns in this Colony for the Year 1763, sent in to this Assembly are as followeth.

	Single Additions.						Fourfold do.		
	£						£		
Ashford,	340	5	0	-	-	-			
Fairfield,	305	6	5	-	-	-	837	0	0
East Haddam,	71	0	0	-	-	-			
Endfield,	370	14	0	-	-	-			
Woodstock,	863	10	0	-	-	-	90	0	0
Lebanon,	826	9	0	-	-	-	316		00
New Town,	646	1	1	-	-	-			
Danbury,	343	15	11	-	-	-	49	5	0
Sharon,	653	1	8	-	-	-	113	4	0
Sommers,	102	14	0	-	-	-			
Cornwall,	80	16	0	-	-	-			
Symsbury,	889	0	0	-	-	-			
Killingly,	1344	0	0	-	-	-			
Colchester,	2293	17	0	-	-	-	530	8	0
Waterbury,	891	10	3	-	-	-	18	0	0
New Milford,	578	8	4	-	-	-			
Wellington,	39	3	0	-	-	-	197	7	0
Coventry,	1540	14	10	-	-	-			
Kent,	203	11	0	-	-	-			
Windham,	762	14	0	-	-	-	120	12	0
Canterbury,	796	5	0	-	-	-	448	14	0
Stonington,	1544	8	0	-	-	-	614	16	0
Voluntown,	292	0	0	-	-	-	195	12	0
Killingsworth,	244	15	0	-	-	-			
Windsor,	421	7	0	-	-	-	1969	7	0
Mansfield,	222	2	0	-	-	-			
Canaan,	982	5	0	-	-	-	309	3	0
Norwich,	937	0	11	-	-	-	1268	0	6
[98] Haddam,	473	11	0	-	-	-	32	17	6
Pomfret,	432	0	0	-	-	-	168	0	0
Salisbury,	1087	13	6	-	-	-			
Goshen,	207	9	0	-	-	-			
Stratford,	1349	0	0	-	-	-			
Litchfield,	151	3	0	-	-	-			
Saybrook,	428	2	2	-	-	-			
Stamford,	222	13	3	-	-	-	143	17	0
Norwalk,	736	7	3	-	-	-			
New Haven,	1489	4	6	-	-	-	509	17	0
Greenwich,	2294	6	2	-	-	-			

Guilford,				-	-	-	261	11	9
New London,	889	11	0	-	-	-	772	12	0
Hebron,	1261	14	0	-	-	-	313	8	0
Farmington,	643	11	0	-	-	-	464	16	0
Midletown,				-	-	-	209	4	0
Bolton,	266	9	0	-	-	-	20	0	0
Suffield,	318	11	0	-	-	-			
Darby,	1401	5	7	-	-	-			
Woodbury,	815	10	3	-	-	-	91	4	0
Lyme,	1092	17	0	-	-	-	276	16	0
Harwinton,	26	0	0	-	-	-			
Weathersfield,	1324	12	9	-	-	-	74	7	0
Durham,	204	5	4	-	-	-			
Stafford,	222	5	0	-	-	-			
Wallingford,	1369	19	6	-	-	-	581	4	0
Brandford,	194	17	6	-	-	-			
Groton,	631	4	0	-	-	-	506	15	0
Milford,	204	19	0	-	-	-			
Toland,	87	16	0	-	-	-			
Preston,	172	16	0	-	-	-	75	12	0

On the petition of James Richardson of Stonington, against Benjamin Bancroft of Suffield, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by the Assembly in the negative.

On the petition of Elijah Woodruff and Ann his wife, of Farmington in the county of Hartford, against Nicholas Ayrault, of Weathersfield in said county: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £4 6 10, *L. M. Ex. granted June* 16*th*, 1764.

On the petition of David Barber, of Windsor in the county of Hartford, against John Palmer of said Windsor, as on file: The question was put, whether there was error in the judgment of the superior court referred to in said petition, as therein is alledged and complained of: Resolved by this Assembly in the negative. *Cost allowed respondent* £1 1 8, *L. money. Ex. granted June* 8*th*, 1764.

On the petition of Stephen Griswold, of Bolton in the county of Hartford, against Ruth Forbs of Hartford in said county, as on file: The question was put, whether there was error in the judgment of the county court and superior court referred to in this petition, as therein alledged and complained of: Resolved by this Assembly in the negative.

On the petition of John Downe, of Milford in the county of New Haven, against Joseph Woodruff, Esq^{r}, Joseph Wood-

ruff jun^{r}, Jehiel Bryan, Daniel Treat, Joseph Platt 3d and Humphry Colbrett, all of said Milford, as on file: The question was put, whether the pleas offered in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allow'd respondent* £1 7 4. *Ex. granted Nov. 1st*, 1764.

On the petition of John Kimberly, of Glastonbury in the county of Hartford, against Timothy Hale jun^{r} and Mathew Miller, both of said Glastonbury, as on file: The question was, whether the pleas offered by the respondents are sufficient to abate the same: Resolved by this Assembly in the affirmative.

On the petition of Susannah Emmons, late of Litchfield in the county of Litchfield now of Glastonbury in the county of Hartford, against Arther Emmons, Eli Emmons, Lydia Emmons and Tabitha Emmons, all of said Litchfield, as on file: The question was put, whether the prayer of this petition should be granted: Resolved in the negative.

On the petition of Samuel Atwell jun^{r}, of New London in the county of New London, against Jedediah Chappel of said New London, as on file: The question was put, whether the prayer of this petition should be granted: Resolved by this Assembly in the negative.

Upon the memorial of Abner Bebee, administrator on the estate of Thomas Fox late of East Hadam, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the personal estate of said deceased the sum of £16 11*s*. 9½*d*. lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the said Abner Bebee have liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges arising thereon; taking the direction of the court of probate in the district of East Haddam therein.

[100] *Anno Regni Regis Georgii tertii quarto.*

At a General Assembly of the Governor and Company of his Majesty's English Colony of Connecticut in New England in America holden at New Haven in said Colony on the second Thursday of October, (being the [eleventh] day of said month,) and continued by several adjournments until the day of November next following, annoque Domini 1764.

Present:

The Honourable Thomas Fitch, Esquire, *Governor.*

The Honourable William Pitkin, Esq^{r}, *Deputy Governor.*

Ebenezer Silliman, Esq^{r}, Mathew Griswold, Esq^{r},
Hezekiah Huntington, Esq^{r}, Shubael Conant, Esq^{r},
John Chester, Esq^{r}, Elisha Sheldon, Esq^{r},
Benjamin Hall, Esq^{r}, Eliphalet Dyer, Esq^{r},
Daniel Edwards, Esq^{r}, Jabez Huntington, Esq^{r},
Jabez Hamlin, Esq^{r},
} *Assistants.*

Representatives or Deputies who attended this Assembly are as follow, viz:

Colo. Samuel Talcott, Colo. William Pitkin, for Hartford.
Mr. Roger Sherman, Mr. Samuel Bishop, for New Haven.
Capt. Pygan Adams, Mr. William Hilhouse, for New London.
Mr. David Rowland, Capt. David Burr, for Fairfield.
Mr. Nathaniel Wales, Mr. Hez^{h} Manning, for Windham.
Capt. Oliver Wolcott, Colo. Ebenezer Marsh, for Litchfield.
Mr. Daniel Lothrop, Mr. Ebenezer Backus, for Norwich.
Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.
Mr. Jonas Prentiss, Mr. Paul Wheeler, for Stonington.
Capt. Abijah Catlin, for Harwinton.
Mr. Josiah Rogers, Mr. John Wilford, for Branford.
Capt. Isaac Pinney, Mr. Daniel Alden jun^{r}, for Stafford.
Mr. Bushnel Bostwick, Mr. Nathaniel Gaylord, for New Milford.
Capt. John Fowler, Maj^{r} David Baldwin, for Milford.
Mr. Solomon Whitman, Mr. Jonathan Root, for Farmington,
Capt. Samuel Kent, Mr. William King, for Suffield.
Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwall.
Mr. Joseph Sexton, Mr. Seth Dwight, for Sommers.
Mr. Phineas Strong, Mr. Ephraim Root, for Coventry.
Colo. David Whitney, Mr. James Bebee, for Canaan.
[101] Capt. Samuel Gilbert, for Hebron.
Mr. Daniel Foot, Capt. Dudley Wright, for Colchester.
Capt. Benjamin Sumner, Capt. Benjamin Clark, for Ashford.
Mr. John Lay, Mr. Samuel Selden, for Lyme.

Capt. James Bradford, Capt. Isaac Coit, for Plainfield.
Capt. Moses Lyman, Capt. Samuel Nash, for Goshen.
Mr. John Crane, Capt. Theophilus Morgan, for Killingworth.
Capt. Elisha Williams, Capt. Thomas Belding, for Weathersfield.
Capt. Jabez Fitch, for Canterbury.
Mr. Thomas Fitch jun^{r}, Mr. Peter Lockwood, for Norwalk.
Capt. Thomas Chittenden, Mr. Joshua Porter, for Salisbury.
Capt. Nehemiah Lyon, for Woodstock.
Capt. John Case, for Symsbury.
Mr. Samuel Olmstead, Mr. John Benedict, for Ridgefield.
Capt. John Williams, Mr. David Forster, for Sharon.
Mr. Seth Wetmore, Mr. Richard Alsop, for Middletown.
Maj. Elihu Hall, Mr. Titus Brocket, for Wallingford.
Mr. Charles French, Mr. Joseph Hull, for Derby.
Mr. John Gordon, Mr. Robert Jameson, for Voluntown.
Mr. Benjamin Chaplin, Mr. William Hall, for Mansfield.
Mr. William Wells, Mr. John Kimberly, for Glastonbury.
Colo. Timothy Stone, Mr. Nathaniel Hill, for Guilford.
Mr. Joseph Wells, for Haddam.
Capt. Isaac Kellogg, Capt. Mathew Gillet, for New Hartford.
Capt. Zebulon West, Mr. Elijah Chapman, for Tolland.
Mr. Joseph Hopkins, Mr. Ephraim Warner, for Waterbury.
Mr. John Weston, Capt. Timothy Pearl, for Wellington.
Mr. David Sherman, Capt. Increase Moseley, for Woodbury.
Capt. Eleazer Hubbel, Capt. Elnathan Hall, for New Fairfield.
Capt. Hez^{h} Whittelsey, Capt. John Murdock, for Saybrook.
Capt. Henry Glover, Mr. Daniel Booth, for Newtown.
Capt. Ebenez^{r} Avery, Capt. William Williams, for Groton.
Mr. Jonathan Coe, for Torrington.
Mr. Edward Collins, Mr. Nath^{l} Terry, for Enfield.
Capt. Jabez Sherwood, Capt. Thomas Hobby, for Greenwich.
Mr. Robert Creary, Mr. Daniel Morgan, for Preston.
Capt. Benjamin Talcott, Mr. David Strong, for Bolton.
Colo. Elihu Chauncey, Capt. James Wadsworth, for Durham.
Capt. Joshua West, Mr. William Williams, for Lebanon.
Mr. Simon Learned, Mr. Silas Hutchins, for Killingly.
Colo. Ebenezer Williams, Mr. Jonathan Dresser, for Pomfret.
Mr. Joseph Curtiss, Capt. Ichabod Lewiss, for Stratford.
Mr. William Wolcott, Capt. Josiah Bissel, for Windsor.
Mr. Cyrus Marsh, Mr. Ephraim Hubbel, for Kent.
Mr. Samuel Dickinson, Capt. John Benedict, for Danbury.
Colo. Joseph Spencer, for East Haddam.

Mr. Abraham Davenport, Speaker, } of the House of
Colo. William Pitkin, Clerk, } Representatives.

[102] An Act for restraining Tryals in Cases of Adultery to the Superior Court only.

Whereas through a different construction of the law disputes have arisen, whether the superior or the county court hath jurisdiction in cases of adultery, and each of said courts have taken cognizance and held plea of the same: Which doubts and disputes for the future to remove and prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the superior court only shall have cognizance of all pleas that relate to the crime of adultery, and shall hear and determine the same, by a jury or otherwise, according to law; any law, usage or custom to the contrary notwithstanding.

An Act to oblige the Town Clerks in the several Towns in this Colony that have not yet certified to the Treasurer of this Colony the Names of the Collectors of Excise that have been chosen in the respective Towns according to the Tenour of an Act of this Assembly passed in October last requiring the Same speedily to certifie said Treasurer of the Matters expressed in said Act to be certified.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That it be the duty of each and every town-clerk of the respective towns in this Colony that hath not as yet certified the said Treasurer according to what is expressed as his duty in said act, forthwith to certifie the Treasurer of this Colony the names of the persons duly appointed collectors of excise for their towns in each and every year since November, 1755, and the year for which each collector was chosen, and also the deficiencies of such towns in not duly appointed collectors from time to time, as the statute of this Colony in that case directs. And that every such town-clerk that shall not on or before the 14th day of May next certifie to the said Treasurer, as in this act is directed, shall forfeit and pay a fine of ten pounds money to the Treasurer of this Colony for such his neglect, to be recovered by bill, plaint or information, in any court proper to try the same.

An Act in Alteration of one Law of this Colony entituled An Act concerning Arrests and Imprisonment for Debt, Damage, Fines &c.

Whereas in said act provision is made for disposing of poor debtors in service for the payment of debts, but the power and authority of assigning of such debtors is limited to that court only before whom the judgment against such debtor is obtained, which in some cases is found to be inconvenient: And whereas in the practice upon the said statute it is found that persons sometimes by undue measures obtain an assignment of others for a feigned debt, and sometimes when the person so assigned hath estate sufficient to satisfie the debt for which he is so assigned, to the injury and damage of other just and honest creditors: Which mischief to prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no court within this Colony shall in any civil case assign or dispose of any person in service until such court is satisfied, either by the oath of the parties or otherwise, that such debtor hath not estate sufficient to pay the debt for which he is holden, (except such necessaries as by law are exempted from execution,) nor until such debtor or creditor, one or both of them, shall have made oath before the court, where motion is made for such assignment in service, that the debt for which he is holden is real and *bona fide* on good consideration; which being done, the superior court or any of the county courts, within this Colony only, are hereby impowered to assign and dispose of such poor debtor in service, as in said act is provided, whether judgment for which such debtor is holden shall have been obtained before the same court or before any other court within this Colony; anything in said act to the contrary notwithstanding.

An Act to prevent the Obstructing the Course of the Fish up the River Paucatuck.

Whereas it is represented to this Assembly that sundry persons by dams, wears, and constant drawing of seines in the said river, in the spring of the year, greatly interrupt [103] || and [hinder] the passage and taking the fish up said river, which obstructions are very injurious to the public: For the remedy whereof,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no person or persons whatsoever shall keep up any dam or dams on said river, (within the limits of this Colony,) without leaving an open free passage of the fish through each dam, at least fifteen feet wide, from the bottom, and keep the same open during the months of March, April and May, in each year; nor shall any person or persons during said months of March, April or May, in each year, erect or keep up any wear or wears on said river, or draw any seine or seines therein, within this Colony, for the taking of fish, but only on four days in each week during said three months in each year: that is to say, liberty is allowed to draw seines therein for the purpose aforesaid on Monday, Tuesday, Wednesday and Thursday in each week, but on no other days, during said three months in each year; on pain that every person or persons so offending shall forfeit and pay the sum of five pounds for every such offence, for the use of any person who shall sue for and recover the same; any law, usage or custom to the contrary notwithstanding.

And be it enacted by the authority aforesaid, That the inhabitants of the town of Stonington have liberty, and they have hereby liberty, to choose three freeholders at their annual town meetings, who shall have liberty to inspect the dams and wears that are or shall be made across said river, and shall have power to pull up said dams or wears fifteen feet wide during said three months.

An Act in Addition to an Act entituled An Act for forming, ordering and regulating Societies or Parishes.

Whereas in and by said act there is no provision made for the choosing or appointing Society Treasurers: and whereas persons in many societies have presumed to intermeddle, act and vote, in society meetings, who are not qualified by law to vote in such meetings, to the disturbance thereof and the proceedings therein: Which inconveniences to prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the several societies in this Colony for the future in their annual society meetings for the electing and choosing society officers, are hereby authorized and impowered to choose a society treasurer, who shall be under the same regulation and have the same power and authority in said societies as town treasurers have in their respective towns.

And it is further enacted by the authority aforesaid, That if any person, who is not duly qualified according to said act to vote in society meetings, shall adventure to act, deal, or intermeddle, or presume to vote in any society meeting, for the choice of officers, granting of rates, or any other affairs whatsoever, such offender shall forfeit the sum of fifteen shillings for every such offence, to be levied by distress and sale of the offender's goods, one half thereof to the complainer who shall prosecute to effect, the other half to the treasurer of such society wherein said offence is committed.

The Gentlemen nominated by the Freemen of this Colony to stand in Nomination for the Election in May, A.D. 1765.

The Honourable Thomas Fitch, Esq^{r}.
The Hon^{ble} William Pitkin, Esq^{r}.

Ebenezer Silliman, Esq^{r}.	Elisha Sheldon, Esq^{r}.
Jonathan Trumble, Esq^{r}.	Eliphalet Dyer, Esq^{r}.
Hezekiah Huntington, Esq^{r}.	Jabez Huntington, Esq^{r}.
John Chester, Esq^{r}.	Phineas Lyman, Esq^{r}.
Benjamin Hall, Esq^{r}.	Colo. William Pitkin, jun^{r}.
Daniel Edwards, Esq^{r}.	Mr. Roger Sherman.
Jabez Hamlin, Esq^{r}.	Colo. Robert Walker.
Mathew Griswold, Esq^{r}.	Mr. David Rowland.
Shubael Conant, Esq^{r}.	Mr. Abraham Davenport.

The assistant's oath prescribed by law was administered by

his Honour the Governor to Eliphalet Dyer, Esq^r, who was chosen an Assistant at the election in May last.*

[104] Whereas this Assembly at their sessions at Hartford in May last, being informed that a bill had been preferred to the Parliament of Great Britain proposing certain Stamp Duties to be laid on this Colony together with the other Provinces in North America, (which it's humbly conceived, if the same should take effect, would be a great grievance to and much dishearten the people of this Colony,) this Assembly thereupon appointed a committee to take said matter into consideration, and preparatory to an address of this Colony to the Parliament of Great Britain, to collect and assign some general as also some more special reasons and objections of this Colony against said bill being passed into an act: said committee having taken said matter into their consideration, prepared and set forth said reasons and objections, which have since been exhibited and printed in a certain book or pamphlet, entituled *Reasons why the British Colonies in America should not be charged with internal Taxes &c.*, and the same have reported to this Assembly, and which this Assembly do hereby, among many others that may be made use of, approve, and hereby order the same to be transmitted to the Colony's Agent in Great Britain, by him to be made use of to the purpose aforesaid. And his Honour the Governor is also desired to prepare an humble and earnest Address to the Parliament of Great Britain, in behalf and in the name of the Governor and Company of this Colony, against said bill for a stamp duty, or any other bill for an internal tax on this Colony passing into an act; and that the same with said Book of Reasons and Objections be, as soon as may be, transmitted to the Agent of this Colony, in order that the same may be humbly presented before said Parliament, and be enforced with all proper zeal in behalf of this Colony.

Whereas Jared Ingersol of New Haven, Esq^r, is now imbarked and on his voyage to London, and this Assembly being convinced of his skill, ability, and good disposition to serve the interest of this Colony, do desire his Honour the Gover-

* He had recently returned from England where he had been as agent for the Susquehanna Company. At the May session, 1763, he announced his purpose of making the voyage, requesting the Assembly to recommend him to Mr. Jackson, the Colony Agent, which the Lower House desired the Governor to do. *War.* X, 406. He sailed from Portsmouth, Aug. 18, 1763. The *Courant* Oct. 29th, 1764, announces his appointment as Comptroller of the Port of New London from the Commissioners of his Majesty's Customs in England and the Plantations.

ernor to write to him as soon as may be, and desire his good advice and assistance to Richard Jackson, Esq^r, the Agent for this Colony, on any matters that may concern this Colony. And his Honour the Governor is desired to let Mr. Ingersol know, that his services therein will be gratefully accepted and rewarded by this Assembly. And also in some proper manner inform the Agent thereof.*

This Assembly do establish Mr. James Bird to be Captain of the second company or trainband in the town of Salisbury.

This Assembly do establish Mr. Ebenezer Stephens to be Lieutenant of the second company or trainband in the town of Salisbury.

This Assembly do establish Mr. Joshua Porter to be Ensign of the second company or trainband in the town of Salisbury.

This Assembly do establish Mr. Elisha Sheldon to be Ensign of the first company or trainband in the town of Salisbury.

This Assembly do establish Mr. Stephen Smith to be Captain of the second company or trainband in the town of Lyme.

This Assembly do establish Mr. Elijah Smith to be Lieutenant of the second company or trainband in the town of Lyme.

This Assembly do establish Mr. Nichodemus Miller to be Ensign of the second company or trainband in the town of Lyme.

This Assembly do establish Mr. John Meiggs to be Lieutenant of the fourth company or trainband in the town of Woodbury.

This Assembly do establish Mr. Andrew Martin to be Ensign of the fourth company or trainband in the town of Woodbury.

This Assembly do establish Mr. Abner Mallery to be Captain of the first company or trainband in the town of Woodbury.

This Assembly do establish Mr. Solomon Martin to be

*Last Saturday sailed from hence the *Prince Henry* mast ship, Capt. Robinson, for London. Jared Ingersoll and Joseph Harrison of New Haven, Esq^rs, Capt. Samuel Willis of Middletown, Mr. Samuel Wyllys of Hartford, [afterwards Secretary, 1796–1810,] and some other gentlemen, went passengers in her. *New London Gazette* for Friday, Oct. 26, 1764. Mr. Ingersoll went to England at this time on his own account, relative to a contract he had made with the Commissioners of the Navy to get a load of masts on Connecticut river for the King's use. He returned home the next July with the appointment of Stamp Distributor for Connecticut.

Lieutenant of the first company or trainband in the town of Woodbury.

This Assembly do establish Mr. John Stoddard to be Ensign of the first company or trainband in the town of Woodbury.

This Assembly do establish Mr. Jacob Atwater to be Lieutenant of the 15th company or trainband in the 2d regiment in this Colony.

[105] This Assembly do establish and confirm Mr. Samuel Atwater to be Ensign of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Timothy Swan to be Captain of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Samuel Walsworth to be Lieutenant of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Joseph Page to be Cornet of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Oliver Grant to be Quarter-Master of the troop of horse in the 8th regiment in this Colony.

This Assembly do establish Mr. Thomas Rogers to be Captain of the 7th company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. James Houghton to be Lieutenant of the seventh company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Holland to be Ensign of the 7th company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. Jonathan Warner to be Captain of the 9th company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. John Robbins to be Lieutenant of the 9th company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. Josiah Griswold to be Ensign of the 9th company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. Selah Hart to be Captain of the 7th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Charles Brownson to be Lieutenant of the 7th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Ephraim Hollister to be Ensign of the 7th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Jonas Frost to be Captain of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Cleaveland to be Lieutenant of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Abbot to be Ensign of the 5th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Burr to be Captain of the company or trainband in the society of Stratfield.

This Assembly do establish Mr. Benjamin Fairweather to be Lieutenant of the company or trainband in the society of Stratfield.

This Assembly do establish Mr. Abel Seeley to be Ensign of the company or trainband in the society of Stratfield.

This Assembly do establish Mr. John Rundel to be Captain of the 3d company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. John Breed to be Lieutenant of the 3d company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Ichabod Brown to be Ensign of the 3d company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Amos Weed to be Lieutenant of the 2d company or trainband in the town of Stamford.

This Assembly do establish Mr. Isaac Quintard to be Ensign of the 2d company or trainband in the town of Stamford.

This Assembly do establish Mr. Josiah Brinsmead to be Ensign of a company or trainband in the society of North Fairfield.*

[106] This Assembly do establish Mr. Daniel Wheeler to be Lieutenant of a company or trainband in the society of North Fairfield.

This Assembly do establish Mr. John Lyon to be Ensign of a company or trainband in the society of North Fairfield.

This Assembly do establish Mr. Noah Tucker to be Lieutenant of the 8th company or trainband in the 7th regiment in this Colony.

* In the East company.

This Assembly do establish Mr. Uriah Haydon to be Ensign of the 8th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Stephen Upson to be Captain of the first company or trainband in the town of Waterbury.

This Assembly do establish Jonathan Baldwin to be Lieutenant of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. Andrew Bronson to be Ensign of the 1st company or trainband in the town of Waterbury.

This Assembly do establish Mr. Jeremiah Day to be Ensign of the 3d company or trainband in the town of Sharon.

This Assembly do establish Mr. Hezekiah Huntington to be Captain of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Bingham jun^{r} to be Lieutenant of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Burnham to be Cornet of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Messenger Palmer to be Captain of the eastermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Joseph Lockwood to be Ensign of the eastermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. James Lockwood to be Ensign* of the eastermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Asa Foot to be Captain of the 13th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Worthy Waters to be Ensign of the 13th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Richard Dushon to be Ensign of the 2d company or trainband in the town of New London.

This Assembly do establish Mr. Jedidiah Brainerd to be Ensign of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. David Barber to be Captain of the 5th company or trainband in the 12th regiment in this Colony.

* Lieutenant. *Orig. file.*

This Assembly do establish Mr. Obadiah Horsford to be Lieutenant of the 5th company or trainband in the 12th regiment in this Colony.

This Assembly do establish and confirm Mr. Stephen Barber to be Ensign of the 5th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Asahel Hall to be Captain of the second company or trainband in the town of Wallingford.

This Assembly do establish Mr. Joseph Bartholomew to be Ensign of the 2d company or trainband in the town of Wallingford.

This Assembly do establish Mr. Dan Towner to be Captain of a company or trainband in the town of New Fairfield.

This Assembly do establish Mr. William Gaylord Hubbel to be Lieutenant of a company or trainband in the town of New Fairfield.

This Assembly do establish Mr. Benjamin Picket to be Ensign of a company or trainband in the town of New Fairfield.

This Assembly do establish and confirm Mr. Daniel Catlin to be Captain of the west company or trainband in the town of Harwinton.

This Assembly do establish Mr. John Watkins to be Lieutenant of the west company or trainband in the town of Harwinton.

[107] This Assembly do establish Mr. Thomas Pitkin junr to be Captain of the first company or trainband in the town of Bolton.

This Assembly do establish Mr. John Gilbert to be Lieutenant of the 1st company or trainband in the town of Bolton.

This Assembly do establish Mr. Peter Olcott to be Ensign of the 1st company or trainband in the town of Bolton.

This Assembly do establish Mr. Jethro Hatch to be Captain of the 1st company or trainband in the town of Kent.

This Assembly do establish Mr. Benjamin Skiff to be Lieutenant of the first company or trainband in the town of Kent.

This Assembly do establish Mr. Joseph Pratt junr to be Ensign of the 1st company or trainband in the town of Kent.

Whereas upon the petition of Joshua Hempstead of Stonington, preferred to this Assembly in May last, against Jeremiah Wheeler of the same Stonington, representing that he was holden to pay said Wheeler large sums of money by notes &c., and that great part of said sums was accumulated by interest and forbearance, and praying for relief, as per petition on file, Messrs. Pygan Adams, Jeremiah Miller and David

Gardner were appointed a committee to examine said matter; which committee have now reported that there is justly due to said Wheeler the sum of twenty-five pounds eleven shillings and one penny and three farthings, lawful money, as per said report on file: Resolved by this Assembly, that the said report be and the same is hereby accepted and approved, and that the said Wheeler shall recover of said Hempstead the said sum of twenty-five pounds eleven shillings and one penny three farthings, lawful money, and that execution issue therefor, and that said judgments and executions, in said petition mentioned and referred to, shall be no further proceeded upon. *Cost allowed to petitioner* £4 16 10, *lawful money. Ex. granted November 2d*, 1764.

Upon the petition of James Phelps, of Windsor in the county of Hartford, representing that some time in the month of December, 1762, one Daniel Alderman of Symsbury was indebted to Samuel Talcott of Hartford, Esq^r, in the sum of two hundred and ten pounds York money, and Joseph Remington of Suffield, brother in law to the said Daniel, with him, said Daniel, requested the petitioner to become bound as a surety with him, said Daniel, to said Talcott for the whole of said sum, and to induce the petitioner thereto the said Remington (who did not care for some family reasons to appear immediately concerned in the security to said Talcott) promised the petitioner that if he would become bound, as aforesaid, that then he would become jointly bound with said Alderman to the petitioner for one hundred and fifteen pounds York money, part of said £210 0*s*. 0*d*., and that it was further agreed, as an indemnity both to the petitioner and the said Remington, should be made over to them the said Alderman's farm of about forty acres in Symsbury aforesaid, with the buildings &c.; and as a further indemnity, that said Alderman should give to the petitioner and said Remington, jointly, a note of his hand for a large sum; that the petitioner did thereupon consent, and became surety with said Alderman to said Talcott for said sum of £210 0*s*. 0*d*. York money, and took a deed of the said farm to himself until said obligation for the £115 0*s*. 0*d*. should be given *by* [to] the petitioner by said Remington and Alderman; that said parties afterwards, *viz:* on the first day of January, 1763, being together, the said Remington and Alderman did then execute to the petitioner a note of their hands for said £115 0*s*. 0*d*., and the said Alderman also executed his note for a large sum for the further indemnity of the petitioner and the said Remington, and that the petitioner stood ready to convey the equal half of said Al-

derman's farm as was agreed between the petitioner and said Remington that he should have the one half thereof, but was prevented by discovering that said Alderman had before conveyed the said farm to one Joel Hays of said Symsbury; that being afterwards informed by said Hays that the consideration of his deed was no more than twenty pounds ten shillings, and that upon the repayment of that sum he was willing to reconvey said farm, that the said petitioner and said Remington thereupon agreed to pay said consideration money and to take a joint deed of said farm, and appointed a day to go together to said Hays for that purpose: that said Remington failed of attending to said agreement and appointment; that the petitioner thereupon paid the whole of said sum to said Hays and took his release of said farm to himself, and on the same day, *viz:* on the 22d of October, 1763, he made and executed to said Remington his release to him of the one half of the said farm and premises, and duly acknowledged the same [108] and left it in the hands and care || of the register of said Symsbury, for the use of said Remington; that the said petitioner afterwards brought his action against the said Remington on said £115 note, and then the said Remington brought his action against the petitioner, alledging that the petitioner promised to make and execute unto him the said Remington, a deed of warranty of the one half of said farm and premises in fifteen days after said first of January; that said action was afterwards left to the arbitrament of Messrs. John Pitkin, Erastus Wolcott and John Owen, who, on hearing the same and being wholly governed by the evidence of said Alderman, awarded the petitioner in that cause to pay unto the said Remington £94 0*s.* 2*d.* lawful money, and cost was taxed at £9 1*s.* 9*d.* lawful money. Also representing that from the beginning of said transaction there was a mutual trust; that it always was their mutual understanding that said Remington should pay said £115 0*s.* 0*d.* towards the debt of said Alderman; that by said award the petitioner was obliged to pay more than the whole worth of said farm: that said Remington having got into his hands said note by said Alderman given jointly to him and the petitioner kept the same, and that said Remington by means of the aforesaid transactions was entirely discharged from the security for said Alderman's debt, contrary to the understanding and mutual trust between the petitioner and said Remington &c.; praying for a committee &c. to examine the premises &c.: Resolved by this Assembly, that Jabez Hamlin, William Welles and Elisha Williams, Esq^{rs}, be and they are hereby appointed a

committee to hear, examine and enquire into the whole transactions and matters referred to in said petition, by such ways and means as they shall think proper, first notifying the parties concerned, and make report of what they shall find to be just, right and equitable to be done between the said parties, to this or the next sessions of this Assembly.

Upon the petition of Jonathan Marsh, of Norwich in the county of New London, representing that he brought his [action] against John Richards, Pygan Adams and Joseph Coit, Esq[rs], all of New London in the county aforesaid, to the county court held at said New London on the 2d Tuesday of June, 1762, for that whereas the defendants being appointed managers of a certain lottery, granted by the General Assembly in May, 1759, upon the prayer of Mathew Stewart of said New London, for the sale of certain lands of said Mathew in New London aforesaid; that the defendants undertook said trust and published a scheme &c.; that the petitioner in the drawing said lottery drew and became the possessor and owner of a ticket which drew a certain land prize in said lottery, which according to said scheme was valued at eleven hundred pounds, lawful money; that the defendants in consideration of the premises became liable, assumed and promised the petitioner that they would make over and transfer to him such land prize; that the defendants had not performed their promise and assumption &c., to the petitioner's damage twelve hundred pounds, lawful money, &c.; that said action by divers removes came to the superior court held at New London aforesaid on the fourth Tuesday of September, 1762, when and where the defendants pleaded thereto in bar &c., that although they did undertake &c., yet they before said action brought offered and tendered to the petitioner a good authentick deed of said land under the hand and seal of said Mathew Stewart &c., which the petitioner refused to accept, and that they thereby had fully executed their trust and undertaking aforesaid, that the petitioner therefore ought not to recover &c., in said plea reciting at large the said act of Assembly, the printed scheme of said lottery, and the said deed tendered &c.; that the petitioner replied to said plea that he ought not to be barred &c., for that before the executing and tendering of said deed and before the grant of said lottery, publishing said scheme, and undertaking and promise of the defendants in the form aforesaid, the said Mathew Stewart had sold and conveyed the said land drawn as aforesaid unto Charles Apthorp of Boston, Esq[r], &c., by deed duly executed, compleated and recorded according to law, all which the defendants well knew

at the time of granting said lottery, publishing said scheme, and making and tendering of said deed to the petitioner, and that the petitioner was ignorant of such conveyance to said Apthorp &c. at the time of his purchasing of said ticket and drawing of said prize, and that the said Stewart not being vested with any property in said lands at the time of his making said deed to the petitioner and of the tendery made thereof to the petitioner as aforesaid, that said tendery was not therefore a fulfillment or compliance with the engagement and undertaking of the defendants, and that the petitioner was not obliged to accept the same in fulfillment as aforesaid, and thereof prayed judgment &c.; that said parties joining in [109] a || demurrer to said replication, and the same being removed to the superior court held at said New London in September, 1763, and being heard thereon, the said superior court were of opinion that the said reply of the petitioner was insufficient in the law &c., and rendered their judgment accordingly; and the petitioner complaining of the said judgment of the superior court, that in rendering the same manifest error hath intervened, praying to have said judgment reversed, and to have liberty of a new tryal &c., as per petition on file more at large may appear: Resolved by this Assembly, that the aforesaid judgment of said superior court is manifestly erroneous, and the same is hereby reversed and made void, and liberty is hereby granted to the petitioner to have another tryal of said action before the superior court to be held at Norwich in said county of New London on the fourth Tuesday of March next; and the whole cost to follow the final judgment.

Whereas Ebenezer Mix of Hartford has exhibited his petition to this Assembly against John Eliot late of New Haven now of Spencer in the Province of the Massachussets Bay, complaining that said Eliot had overreached and defrauded him in the purchase of certain lands of said Eliot and his wife; praying for relief &c., as per petition on file: And Whereas the said Eliot in person and the said petitioner by his council appeared and signified to this Assembly that they have agreed to submit the matters of said controversie to be determined and adjusted by Jonathan Trumble, Benjamin Hall, Shubael Conant, Elisha Sheldon and Jabez Huntington, Esq^{rs}, with instructions by the parties agreed upon: It is thereupon resolved by this Assembly, that Jonathan Trumble, Benjamin Hall, Shubael Conant, Elisha Sheldon and Jabez Huntington, Esq^{rs}, be and they are hereby appointed a committee with full power to examine into the whole conduct of the parties, both in making the said bargain and since it was compleated, suf-

fer them or either of them to disclose under oath, and if said committee or any three of them judge that, according to the common course of trading and transacting in bargaining, said Eliot's conduct has been such as justly intitles said petitioner to any consideration, that then said committee, or any three of them, shall order said Eliot to discount so much upon the judgments obtained against said petitioner upon the notes given in consequence of said bargain, (exclusive of that sold to Flagg,) as they think right. But if the said committee judge that the said petitioner is not (upon the principles abovementioned) intitled to any consideration, that then they order said petitioner to pay said Eliot so much for the expence, disappointment and damage which said Eliot has sustained by said petitioner's conduct as they think equitable. And the said committee to report upon the matters aforesaid to this Assembly in May next. And that execution be stayed on said judgments, (exclusive of that obtained upon one of the said notes sold to John Flagg, of said Spencer,) till that time.

Upon the petition of Martha Owen, of Farmington in the county of Hartford, representing that having been begotten with child in fornication by Daniel Miller of said Farmington, and that said Daniel, rather than abide the sentence of law for and towards the maintenance of said child, compounded, agreed and gave to the petitioner sixteen notes of hand, in the whole containing twenty-two pounds lawful money; that the said Daniel afterwards by collusion and deceit desiring to see said notes, and the same being shewn to him by the said petitioner, he took, carried away, and ever since refused to return them to her, and the same being done when and where no witness could be had &c., and praying for relief &c.: It is resolved by this Assembly, that Messrs. Thomas Hosmer, Daniel Webster and Daniel Kellogg, all of Hartford, be and they are hereby appointed a committee to examine and enquire into all the matters referred to in said petition, by the oath of the parties or otherwise; and to make report of what they find, and of their opinion of what is just and right to be done in the premises, to this Assembly at their present or next sessions.

Upon the report of Messrs. Thomas Hosmer, Daniel Webster and Daniel Kellogg, of Hartford, who were by this Assembly appointed a committee to examine and enquire into all the matters referred to in the petition of Martha Owen of Farmington, complaining of Daniel Miller of the same town for unjustly taking and detaining from her sixteen notes of

his hand, given to her by him, said Daniel, for and towards the maintenance of her child by him begotten in fornication, amounting to £22 0*s.* 0*d.* lawful money, &c., reporting that they had heard the said parties and found that said Daniel had so taken and detained and hitherto refused to deliver up the said notes, and that in their opinion the said Martha had been damnified thereby to the value of £28 0*s.* 0*d.* lawful money, and that he ought also to pay her costs the sum of £7 5*s.* 4*d.* like money, in the whole being thirty-five pounds five shillings and four pence lawful money; which report is hereby accepted and approved: And it is therefore decreed and resolved by this Assembly, that the said Daniel Miller shall pay unto the said Martha Owen the aforesaid sum of thirty-five pounds five shillings and four pence lawful money, and that execution be awarded accordingly. *Ex. granted October 29th*, 1764.

[110] On the petition of Ebenezer Fitch, of Wallingford in New Haven county, *versus* Samuel Smith, of Suffield in Hartford county, representing and alledging that in October, A.D. 1759, said Smith attended with one Johannes Metoksin, an Indian, stiled Indian interpreter and gentleman, offered to sale certain lands in the county of Hampshire and Province of the Massachusets Bay, falsely pretending that said Indian could invest any purchaser with legal title to said lands, and that Fitch was by such feigned pretences induced to purchase a right of lands in a place called Rands Town, said to be three hundred and sixty acres, bounded east and north on country lands, south on land of Ebenezer Molton, &c., westwardly on Chandler Town, and thereupon said Fitch did pay to said Smith six pounds and also gave and executed two notes of hand for the sum of fourteen pounds, on which judgments have been rendered and executions issued; praying this Assembly would order and decree said Smith to refund said money, and also pay such cost and damages as should be judged reasonable, and that said judgments rendered against him on said notes may be vacated and proceedings thereon, as by his petition on file; and said Fitch having sufficiently proved the matters in said petition alledged: Whereupon this Assembly do order and decree, and it is hereby decreed, that said Samuel Smith shall pay to said Ebenezer Fitch the sum of six pounds, and that the judgments rendered and executions issued in favour of said Smith against said Fitch on said notes shall be and hereby are made null and void; and all suits commenced by said Smith, relative thereto, and now pending, are hereby abated, and the cost thereon shall be paid by said Smith ac-

cordingly. *Cost allowed petitioner* £4 17 8. *Ex. granted Nov. 1st*, 1764.

Whereas upon the petition of John Swetland and Joseph Swetland of Hartford, and William Swetland, Jonathan Swetland, Peter Swetland, and John Clauson and Zeruiah his wife, of Hebron, and Caleb Swetland of Kent, and Joseph Basset of Bridgwater in the Province of the Massachussets Bay, William Basset and Gideon Basset of Norton, and Nathan Basset of Bridgwater, all in said Province, the descendants and heirs of John Swetland late of Lebanon, deceased, of Joseph Swetland and Sarah Basset, deceased, preferred to this Assembly in May, 1763, and by divers continuances brought to the sessions in May, 1764, against John Richards of New London, Esq^{r}, shewing that upon a former petition of theirs, preferred to the General Assembly held at Hartford in May, 1760, against the said John Richards, Esq^{r}, setting forth and shewing that Benjamin Swetland, their ancestor, formerly of said New London since deceased, by his last will and testament gave and devised to his then wife Hannah Swetland the use and improvement of certain goods and chattels of his for and during her natural life, and then to go to the parents &c., aforesaid, of said petitioners, whom they represent; that said Hannah afterwards deceased leaving a last will and said Richards her executor, who took into his custody the said goods and estate &c., praying to have a discovery of the same and to have the same adjudged to them &c., as by said petition at large may more fully appear; and thereupon Richard Lord, Jabez Huntington and Ebenezer Backus, Esq^{rs}, were by said Assembly held in May, 1760, appointed a committee with power to enquire after said goods and estate, in order to a discovery thereof, and report make &c., which committee having executed said trust and made report to the General Assembly held at New Haven in October, 1760, the same was accepted and approved; in and by which report it was found that said John Richards had in his custody and detained &c. a negro man named Mingo, one negro woman called Rose, a silver tankard, porringers, old spoons, silver money &c., and a sum in old tenour bills, also a bond against Thomas Forsdick for £431 0*s.* 0*d.* old tenour, on interest, &c., as by said report at large may appear; praying to have said several goods &c. paid and delivered over to the petitioners by said John Richards, as by the petition on file: the said Assembly in May last did appoint Joseph Spencer of East Haddam, Joshua West of Lebanon, and Benjamin Gale of Killingworth, Esq^{rs},

a committte with full power to consider and determine to whom, according to the will of Benjamin Swetland aforesaid, the said goods and chattels mentioned in said report did of right belong, and in what proportion and to whom the same or any part thereof ought to be paid and delivered, and to consider what allowance, if any, ought to be made by said [111] Richards for the use and benefit of said negroes, || or either of them, since they had been in his hands and custody, as also to determine what sum, if anything, ought to be paid by said Richards for said articles, or any of them, in case he should refuse to deliver out and pay the same according to such order as this Assembly may make to that purpose &c., and to make report in the premises: Which last mentioned committee have executed said commission and reported, that the said articles by the last will of said Benjamin, deceased, did of right belong to the first dissenting church at New London, to the old North church at Boston, and to John Swetland, Joseph Swetland, William Swetland, Jonathan Swetland, Peter Swetland, Zeruiah Clauson, Caleb Swetland, Nathan Basset, William Basset, Joseph Basset and Gideon Basset, the said petitioners, and also to William Lovet, Sarah Lovet and Grace Lovet, all of said Beverly, children of Agnes Lovet of said Beverly, deceased; that the said John Richards ought to pay for the use of said Mingo the sum of sixty-four pounds, lawful money, and for the use of said Rose the sum of six pounds, lawful money; that the said Richards ought to deliver to each of said two churches eleven ounces and one quarter of silver, or pay to each of them the sum of £3 15*s.* 0*d.* lawful money, and that he ought to deliver to the said Peter Swetland, his heirs, representatives or assigns, eleven ounces and one quarter of said silver, or pay to the said Peter Swetland or his heirs &c. the sum of £3 15*s.* 0*d.* lawful money, and that the residue of said articles and the sums before-mentioned, for the use of said negroes, ought to be delivered or paid to all the persons in said report named as legatees, in equal proportion, *viz:* one fourteenth of said residuary part of said articles and said sums for the use of said negroes to each of said residuary legatees, or to their heirs, representatives or assigns, and in case said Richards refuse to deliver said articles &c. to said residuary legatees, their heirs or assigns, as before-mentioned, he ought to pay to them in lieu thereof in manner following, *viz:* to deliver Mingo or pay the sum of twenty pounds lawful money, to deliver the bond mentioned on Thos Forsdick for £431 0*s.* 0*d.* old tenor bills or pay the sum of £64 8*s.*

7*d.* lawful money, to deliver the six hundred and eleven pounds thirteen shillings old tenor bills or pay the sum of £45 17 6, lawful money, and the remaining twenty-three ounces of silver or pay the sum of £7 13 4, lawful money; that the afore-named legatees, excepting said two churches, made a legal conveyance or assignment of all their right or interest in said articles to Majr Charles Bulkley late of said New London, deceased, in his lifetime, and therefore that the said articles and money for the use of said negroes, or the money as before-mentioned in lieu of said articles, excepting only the two churches' part, aforesaid, ought to be delivered or paid to Anne Bulkley of said New London, sole executrix of the last will and testament of said Charles Bulkley, deceased, as per report on file appears: Resolved by this Assembly, that the said report of said last-mentioned committee be and the same is hereby accepted, approved and confirmed. And it is further enacted and decreed, that the said John Richards shall pay and deliver said articles and money for the use of said negroes or the money in lieu of said articles according to said report within two months from the rising of this Assembly; and in case the said articles are not delivered and said monies paid within two months, that execution issue in favour of said Anne Bulkley for the amount of said sums so found by said report to be due and payable to her as executrix as aforesaid.

Upon the petition of Nathan Curtiss, of Wallingford in the county of New Haven, representing that his late father, Nathaniel Curtiss late of said Wallingford, deceased, by his will gave him a piece of land at Chestnut Ground, so called, and another piece at Plainfield, and the remainder of his estate besides some legacies to Nathaniel Curtiss junr, and made them his executors; that said Nathaniel the elder in the latter part of his life failed in his reason and was put under the care of the selectmen and afterwards of a conservator, and whilst under such circumstances said Nathaniel junior persuaded him to make deeds of gift of a considerable part of the estate then belonging to him unto said Nathaniel junior; that said Nathan refusing to meddle as executor in said will, said Nathaniel junr proceeded to make an inventory of said deceased's estate, and of the debts, whereby it appeared that the debts considerably exceeded the moveable estate; that said Nathaniel junr pretended to claim the estate so left him as aforesaid by force of said deeds of gift, refused to put the same into the inventory of his father's estate, whereby said estate appeared to be insolvent, no land

being put into said inventory except said land at Chestnut Ground so given to said Nathan; that said Nathan proceeded to sell said land at Chestnut Ground agreeable to the direc- [112] tion of the court of probate; ‖ praying said deeds from said Nathaniel of said Chestnut Ground might be vacated and a committe appointed &c.: The parties appeared and agreed that a committee should be appointed to enquire into the matters aforesaid, and in what manner and by whom the debts due from said estate should be born and paid, as per petition on file: It is enacted, that Roger Sherman, of New Haven in the county of New Haven, Esqr, and Messrs. Macock Ward and Titus Brocket, both of Wallingford in said county, be a committee and they are hereby appointed a committee to examine and consider the matters and things stated and alledged in said petition, and also enquire in what manner and by whom the debts due from said estate should be borne and paid, and what sum such person or persons as they shall find chargeable with said debts shall pay and answer, and make report of what they shall find to this Assembly in May next. And the said committee are also hereby directed and impowered, to call all the children of said deceased Nathaniel Curtiss and the representatives of such as are deceased before them, and to examine and consider whether any of said children other than the petitioner and petitionee ought to pay any part of said debts, and if any how much, and report as aforesaid.

Upon the petition of Mary Cobb, of Milford in the county of New Haven, representing that on the 3d Monday of July A.D. 1764, the petitioner presented to the court of probate for the district of New Haven the last will and testament of Anna Farrand late of said Milford, deceased, dated the 13th day of May, A.D. 1763, wherein she was nominated and appointed executrix, in order that the same might be approved, which being denied by said court of probate, the petitioner appealed from said denial of said court of probate unto the superior court holden at New Haven on the last Tuesday of August. 1764, at which superior court said decree of said court of probate was affirmed, and that said last will and testament was signed by said deceased when in full life and of sound mind and memory, and by her executed in due form of law, and that said deceased was under no undue influence; praying for a reversal of said judgment and decree of said court of probate and for an order and decree that the said court of probate receive said last will and testament &c., as by said petition on file may at large appear:

Resolved by this Assembly, that the said judgment and decree of said superior court be reversed, and the same is hereby reversed and set aside. And it is hereby enacted and ordered, that the said court of probate for the district of New Haven receive the said last will and testament of the said Anna Farrand, deceased, and record the same in usual form of law.

Whereas upon the petition of Godfrey Malbone, of Newport in the Colony of Rhode Island, against John Banister of the same Newport, preferred to this Assembly at their sessions at Hartford in May last, then complaining to this Assembly then there held of error in the judgment of the superior court held at Windham on the 3d Tuesday of March then last, in assessing the damages on a bond given to said Banister by said Malbone, conditioned for the payment of £5971 0*s*. 0*d*. old tenour of the Colony of Rhode Island, dated May 10th, 1755, and made payable on the 2d day of December in the same year, 1755, then praying to have said judgment reversed, and that a new tryal of said cause might be had, or that a committee might be appointed to adjust and settle the sum due by said bond, as by the petition on file appears: it was by said Assembly then resolved, that there was manifest error in said judgment, which was by said Assembly then reversed, set aside and made null and void; and it was also, at the desire and upon the agreement of the parties by their respective attornies, then further resolved, that Colo. Joseph Spencer, Ebenezer Backus, Esq^r, and Mr. Daniel Lothrop, should be and they were then by said Assembly appointed a committee with full power, to hear the parties upon, enquire into and determine the sum in lawful money that was justly due by said bond and the condition thereof, and report thereof to make to this Assembly: And whereas said committee have reported to this Assembly that they having notified the parties to appear before them, and that having fully heard the parties on their pleas &c. on the 8th day of August last past, relating to the said matter of said petition, said committee do thereupon judge and determine that there is justly due from said Godfrey Malbone to the said John Banister on said bond and the condition thereof the sum of five hundred and sixty-nine [113] ‖ pounds five shillings and four pence, lawful money, including interest until the 7th day of October instant, as by said report on file appears: Whereupon it is resolved by this Assembly, that said report be accepted and approved of, and the same is hereby accepted and approved of. And it is also

further resolved, that the said Banister shall recover of said Malbone said sum of five hundred and sixty-[nine] pounds five shillings and four pence lawful money, and his cost, taxed at £19 19*s.* 9*d.* and that execution go forth accordingly. *Execution granted Nov^r 1st*, 1764.

Upon the petition of Eliphalet Beecher, of New Haven in the county of New Haven, representing that the petitioner in January, 1763, and Ebenezer Keeney, of Derby in said county, did submit all matters of controversie to the arbitrament of Messrs. Robert Fairchild, David Lewis, both of Stratford in Fairfield county, and Benjamin Stiles, of Woodbury in Litchfield county, and that upon opening the controversie between the petitioner and said Keeney relative to their book-accounts before said referees, it appeared that after the 30th day of July, 1759, the book-account of said Keeney against the petitioner was £34 5*s.* 8½*d.* lawful money, and no more, and if there was a settlement of book-accounts between the petitioner and said Keeney on the 30th day of July, A.D. 1759, the balance due to the petitioner at said settlement was £150 1 11, New York money, since which settlement the petitioner hath no charge against said Keeney; that the petitioner before said referees deposed that a settlement of their book-accounts was had at said time, which was denied on the part of said Keeney; that the petitioner then had a receipt under one Judson Burton's hand, who acted for said Keeney, in the following words, *viz*: New Haven, 30th of July, 1759. Then received of Eliphalet Beecher in full for 22651 wt. of flour, in full for 117 barrels of pork and on book-accounts £14 13 1¼, lawful money, on account of Mr. Ebenezer Keeney of Derby. I say received by me, Judson Burton. Which at the time of said arbitrament being mislaid could not and was not by the petitioner produced to said arbitrators, for want of which said arbitrators were induced to suppose there was no settlement at said time, and thereupon allowed the petitioner the sum of £30 0 0, lawful money, only; whereas if the petitioner could have produced said receipt, a much larger sum would have been allowed; praying for a committee &c., as by the petition on file: Resolved by this Assembly, that said Messrs. Robert Fairchild, David Lewis and Benjamin Stiles, be a committee, and they are hereby appointed a committee to enquire and examine the matters mentioned in said petition, and to report to this Assembly or to the General Assembly at their sessions in May next what they shall find therein, with their opinion thereon.

On the petition of Lemuel Guernsey, David Miller, Job Camp and others, representing that on application by them made to

the county court in the county of Hartford, the said county court held at Hartford in said county by adjournment on the 4th Tuesday of June, 1763, issued a precept for summoning a jury to lay out a highway in the town of Haddam in said county; that Samuel Russel of Midletown in said county, sheriff's deputy, to whom said precept was directed, afterwards by virtue thereof and pursuant to the order of said court summoned a jury, all belonging to said town of Midletown, who accordingly on the 22d and 23d of September, 1763, laid out a highway, as in said precept directed, *viz:* beginning at the south bounds of Midletown and the south end of a highway called Johnson's Lane, then south five degrees west sixteen rods in a highway or common land in Haddam bounds, and thence &c. to Durham line, and made monuments on the southerly side of said highway at every turn &c., and assessed damages &c.; that on return thereof made to the county court held at said Hartford on the first Tuesday of November, 1763, that said county court accepted and approved thereof, and established said highway &c.; that Samuel Bates, Moses Bates and others, children and heirs of Samuel Bates of said Haddam, late deceased, by their mother, Abigail Bates of said Haddam, their next friend, afterwards brought their writ of error to the superior court held at said Hartford on the first Tuesday of March, 1764, complaining of the judgment of said county court &c., for that said jury was ordered and taken out of one town only, and for that said heirs had nothing allowed for damages done in their property, said highway including about one acre and a quarter of their lands &c.; that said cause in error, as aforesaid, being continued to the said superior court held at said Hartford on the first Tuesday of September, 1764, said superior court adjudged the judgment and doings of said county court to be erroneous, and by their judgment reversed the same. The petitioner in said petition also complaining of the judgment of said superior court in reversing said judgment of the said county court as being erroneous; praying to have the [114] same reversed &c., as per petition on file: ‖ Resolved by this Assembly, that the said judgment of said superior court in reversing the judgment and doings of said county court is erroneous, and the same is hereby reversed and made void, and the judgment and doings of the said county court, relative to said highway, is hereby affirmed, confirmed and established.

Upon the petition of Nathaniel Eells and Edward Eells, both of Stonington in the county of New London, representing to this Assembly that they having duly obtained an execu-

tion against Sylvester Baldwin, of the same Stonington, for the sum of £669 13*s*. 5*d*. and procured the same to be duly levied on a certain tract of land situate in said Stonington, as the real estate of said Baldwin, and so satisfied said execution, since which thirty-three acres of said land so levied upon and set off in part satisfaction of said execution, apprized at the sum of £203 5*s*. 5*d*., lawful money, hath by an award &c. in equity been taken from him; praying for an order and decree of this Assembly that the said Sylvester Baldwin should pay to the said Nathaniel and Edward Eells said sum of £203 5*s*. 5*d*. with the lawful interest thereon arisen, as per memorial on file: Resolved by this Assembly, and this Assembly hereby order and decree, that the said Sylvester Baldwin pay and satisfy unto the said Nathaniel and Edward Eells the aforesaid sum of £203 5*s*. 5*d*. with the lawful interest thereon arisen from the time the aforesaid execution was levied as aforesaid, amounting to the sum of £218 9*s*. 10*d*. lawful money, and that execution from this Assembly in due form go forth accordingly. *Execution granted Oct*r 23*d*, 1764.

Upon the petition of Daniel Brainerd of East Haddam, representing that the petitioner and Thomas Williams of Albany, as administrators on the estate of John Brown, deceased, had mutually obtained judgments against each other; praying for discount &c., as per memorial on file: Resolved by this Assembly, that the consideration of said petition is referred to the General Assembly to be holden at Hartford on the second Thursday of May next. And it is further ordered, that the executions on the several judgments of court referred to in said petition be suspended and staid until that time.

Upon the memorial of Joseph Talcott, John Ledyard, Samuel Talcott, William Pitkin junr, Esqrs, and others, representing to this Assembly that of late there are sundry spits and bars of sand made and arisen across Connecticut River between Weathersfield Rocky Hill and Hartford, which very much obstruct the navigation up and down said river from said Rocky Hill to Hartford, and that said bars might probably be removed, to the great advantage of the adjacent country; requesting the favorable interposition and aid of this Assembly, by impowering them and their associates to take and collect subscriptions to be improved for said purpose, and to grant some suitable tonnage on the shipping that may use said river between said Rocky Hill and Hartford, after the said bars shall be so effectually removed that there shall be seven feet water through the summer season, to raise a sum of money to be improved to keep open said channel and reimburse the said undertakers.

Whereupon this Assembly, considering the great advantage that would accrue to his Majesty's subjects adjacent thereto should said undertaking be successfully accomplished, do resolve, and it is hereby resolved and enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said Joseph Talcott, John Ledyard, Samuel Talcott and William Pitkin jun^{r}, Esq^{rs}, together with such others as shall subscribe and undertake in the adventure aforesaid, shall be and they are hereby impowered to choose a treasurer and clerk, who shall be sworn to a faithful performance of said trust, as also to choose and appoint a suitable committee or committees to take in subscriptions payable to the said treasurer for the use and purpose of clearing and removing said bars, who shall have full power and authority to receive all such subscriptions, and if [need] be to sue for and recover the monies secured thereby for the purpose aforesaid, who shall pay out the same by order of a committee appointed for that purpose.

Be it further enacted by the authority aforesaid, That the said undertakers have full power and authority, and full power and authority is hereby granted to them, to choose a proper committee or committees for carrying on such works as by them shall be judged proper to be carried on for the effecting the good end proposed, and to adjust all accounts and give orders on said treasurer for payment of such sums as may be found due to any person or persons for services done or otherwise.

And for the encouragement of said undertakers, and for raising a suitable fund for keeping the said channel clear, if it shall be opened, and for reimbursing said undertakers, if [115] they ‖ shall remove and clear away the bars referred to in said river,

Be it further enacted and granted by the authority aforesaid, and it is hereby granted, That, if the said undertakers shall remove or cause to be removed and cleared from and out of said river the said bars referred to, so that there shall be full seven feet water from said Rocky Hill to Hartford Landing through the course of the summer season, upon the common tide, that then and in such case all such vessels as shall navigate and use the river above the bar called Glastonbury Bar, except vessels of less than fifteen tons burthen computed by the carpenter's rule, shall be subjected, and they are hereby subjected during the pleasure of this Assembly, to pay six pence per ton every time they shall go up said river above said Glastonbury bar, which shall be paid by the master of said vessel so going up said river, which it may and shall be lawful for the said treasurer, or some other meet person which shall be

appointed by said adventurers for that purpose, who shall be under oath for a faithful discharge of the trust, to collect and receive the same of said master for the use aforesaid; and in case of refusal, it shall be lawful for said treasurer or collector, if any person shall be appointed for that purpose, to sue for and recover the same in any of his Majesty's courts of judicature in this Colony by action, to be improved for the keeping the said channel clear and open; and if any overplus remains, to be applied to pay and discharge the yearly interest that shall or may have arisen on the several sums subscribed and paid for the purpose aforesaid. And if any money shall then remain, it shall be applied to pay and discharge the several sums paid by said subscribers, to them or their heirs, beginning at the least and so on to the greatest, until the whole be paid.

Be it further enacted by the authority aforesaid, That it shall be lawful for the aforesaid undertakers to meet by themselves or substitutes at such time and place as they shall think proper, to transact and come into such votes and conclusions as they shall judge necessary. And upon the application of any five of them made to any Assistant or justice of the peace, requesting a warrant to notifie and warn said undertakers to meet, it shall be the duty of said Assistant or justice of the peace to grant out a warrant for that purpose, setting forth the time, place and occasion of said meeting, two attested copies whereof being set up in two several public places in the town of Hartford by the constable of said Hartford, one on each side the great river, at least twenty days before the time appointed for said meeting, shall be a sufficient and legal notification for said meeting.

Be it further enacted by the authority aforesaid, That it shall and may be lawful for said undertakers in their meeting, to agree upon such other reasonable method of calling their meetings as they shall think best. And the said undertakers in their meetings shall have full power, and full power and authority is hereby granted to them, to adjourn said meeting as they shall find necessary.

Upon the memorial of the selectmen of Middletown, Moses Bush, Jeremiah Goodrich, David Sage, Nathaniel White, Daniel Shepard, and others of the 3d society of Middletown aforesaid, shewing to this Assembly that the town of Middletown, in the year 1675, granted and recorded of the undivided land in said town to twelve Indians, then being in said Middletown, to them and their heirs, three hundred acres of land at or near a place called Wongong, which lays two

hundred and fifty acres thereof in the centre of said third society, and the meeting-house being now placed about the middle of said tract of land, which land situate as aforesaid is a great detriment to said society. And the said heirs of said Indians, being now but about forty men, women and children, and have dispersed themselves, some among the Mohegans, some to Farmington, others to Hartford and New Hartford, and but one squaw and three of her children at Middletown, except a blind squaw of one Cuschaw, deceased, who has for more than twelve months been supported by the selectmen of Middletown; and that part of said land has been leased out by some Indians since deceased, the land encroached upon, whence contentions &c. arise, and the land situate as aforesaid is a great damage to the settling of said society; and that some of said land has been aparted to one of the heirs of said Indians by this Assembly, and some of them christianized and desire to have their rights aparted and set off to them in severalty &c.; praying for a committee to enquire into the circumstances of said land, Indians &c., and make report of their opinion thereon, or in some other way grant relief, as per memorial on file: Resolved by this Assembly, that John Chester, Elisha Williams and James Wadsworth jun^{r}, Esq^{rs}, be a committee, and they are hereby impowered, to enquire into all the circumstances referred to in said memorial, at the cost of the memorialists, and make report of their opinion thereon to this Assembly at their session in May next.

Whereas upon the memorial of Thomas Hart and others of the society of Kensington, representing that the meeting-house in said society was much out of repair, that said society could not agree to repair the same, and praying that they might be compelled to do it; and upon the memorial of Aaron Brunson and others, inhabitants of a tract of land in Farmington, commonly called the Blue Hills, being a winter parish and school district, representing that they were under [116] great disadvantages in respect || to their attending divine worship, and praying that the western part of said Kensington might be annexed to them, and the whole made a distinct ecclesiastical society, Messrs. Timothy Stone, Thomas Darling and John Fowler were by this Assembly in May last appointed a committee to examine and consider the several matters and things in said several memorials mentioned and alledged, and to report what they should find most fit and expedient to be done thereon; which committee have reported it as their opinion, that is best that the said Aaron

Brunson and others continue to be one society with said Kensington; that said meeting-house is unfit to be repaired, otherways than as a temporary place of worship until the said society can build a new meeting-house in such place as shall be regularly assigned them, so as to accommodate the whole of said society &c.; which report of said committee is accepted and approved, as per said memorials, report &c. on file appears: It is therefore now resolved by this Assembly, that the said Aaron Brunson and others inhabiting said Blew Hill district shall continue to belong in all respects to the said society of Kensington, and that the county court for the county of Hartford, on application to them to be made some time before the rising of this Assembly in May next, shall appoint a committee to stake out a spot whereon to set up and erect a meeting-house in said society which shall accommodate the whole; that said society shall thereon build a meeting-house sufficient for said purpose, within three years from the rising of this Assembly; that such repairs be made forthwith, or as soon as conveniently may be, upon said old meeting-house in said society as will make it safe and comfortable for the society to meet in for said term of three years; and that the cost that has arisen on the said memorial of Thomas Hart and others shall be borne and paid by the said society, exclusive of that part of said society called the Blew Hills.

Upon the memorial of Thomas Benedict, of Danbury in Fairfield county, and others stiling themselves the first church in said Danbury, and Ezra Stephens and others, inhabitants of the 1st society in said Danbury, representing that for some time past there hath been, and now are subsisting, divers controversies and disputes relative to the dismission of the Reverend Mr. Ebenezer White from the pastoral care and charge of the first church and society in said Danbury by a late determination of a council of the ministers and churches of the eastern and western districts in Fairfield county, which disputes are in danger of producing divisions and separations in said church and society, this Assembly being desirous as far as possible to restore peace and harmony to said church and society and to prevent the fatal consequences of such disputes and controversies: It is therefore resolved by this Assembly, that Jabez Hamlin, William Wolcott and William Pitkin jun^{r}, Esq^{rs}, be and they are hereby appointed a committee to repair to said town of Danbury and endeavour a reconciliation between the contending parties in the first church and society in said town, and make report to the General Assembly to be held at Hartford in May next.

On the memorial of Richard Davenport of Coventry, shewing that he was appointed receiver of the country produce that was paid by said town in the year 1756, for and towards the public tax, and that he sustained great loss in a quantity of beef received for said Colonies use, on which account an action was brought against him, and that an award in said action of auditors was accepted against him when he was abroad on a journey and notice of said audit left at his abode, and so he was not able to appear at said audit; praying for relief, as per his memorial on file: Resolved by this Assembly, that Jonathan Trumble, Joshua West and Nathaniel Wales junr, Esqrs, be and they are hereby appointed a committee to examine and enquire into the circumstances of the whole matter relating to said beef mentioned in said memorial and to the suit on which the judgment of the superior court was rendered in favour of this Colony against said Davenport in September, 1763, and report their opinion what they find justly due from said Davenport to said Colony on said matters to the General Assembly in May next: and in the mean time the execution issued on said judgment be and is hereby suspended accordingly.

Upon the memorial of Caleb Jewet, David Forster, Joseph Marvin and Joseph Landers, the present selectmen of the town of Sharon, and David Hide of said Sharon, shewing to this Assembly that the said David Hide was a collector chosen by the said town of Sharon to gather the country rates made on the lists of the years 1756, 1758, and 1760, and there is considerable money that remains uncollected on said bills, and that said Hide has resigned said rate-bills into the [117] hands of said || selectmen, and as it is very difficult, if not impracticable, for said collector to gather the remainder of said rates, by reason that he is very much reduced and under great difficulties &c., whereby the government is kept out of their money, and the said town is liable to make it good, and praying this Assembly to appoint Mr. Ebenezer Gay of said Sharon a collector to gather the residue on said rate-bills, or some other meet person, or some other way to relieve &c., as per memorial on file, &c.: Resolved by this Assembly, that the town of Sharon have liberty and they are hereby impowered, to choose a new collector to collect the residue of said rates, in the same manner as is by law provided when a collector dies before his year is out; and that said collector shall be responsible to the selectmen of said town for such rates as he shall receive to collect, and the selectmen shall be accountable for the same to the Colony Treasurer.

Upon the memorial of Benjamin Williams of Saybrook, administrator on the estate of Capt. Samuel Williams, deceased, shewing that the debts due from the said estate for which no grant of the Assembly for sale of land hath been made surmount the moveable part of said estate and all sums raised by all former sales of land the sum of £11 12 4, lawful money; praying for liberty to make sale of so much of the remaining real estate of said deceased as shall raise said sum of £11 12 4, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the memorialist, to make sale of so much of said remaining part of said real estate as shall raise said sum of £11 12 4, lawful money, with incident charges arising thereon; taking the direction of the court of probate in the district of Guilford therein.

On the memorial of Samuel Barns and Esther his wife, administratrix on the estate of Ebenezer Brocket late of Wallingford, deceased, shewing that there is not personal estate sufficient to pay the debts of said deceased; praying for liberty to sell land sufficient therefor, as per their memorial on file: Resolved, that liberty be and hereby is granted unto the memorialist, to sell so much land as may raise the sum of seven pounds three shillings and sixpence half penny, lawful money, with incident charges arising on such sale; taking the direction of the court of probate in the district of New Haven.

On the memorial of Rhoda Knapp, administratrix on the estate of John Knapp, late of Stamford in Fairfield county, deceased, shewing to this Assembly that the debts &c. due from the estate of said John Knap, deceased, and allowed by the court of probate in and for the district of Stamford, surmount the inventoried personal estate of said deceased the sum of £86 8*s*. 4½*d*. lawful money; praying some meet person might be appointed and impowered to make sale of so much of the real estate of said deceased as will raise said sum together with the incident charges arising on said sale: Resolved by this Assembly, that the said Rhoda Knap be appointed, and she is hereby appointed and impowered, to make sale of so much of the real estate of said deceased John Knap as will raise said sum of £86 8*s*. 4½*d*. lawful money, with the incident charges arising on said sale; taking the direction of the court of probate in the district of Stamford therein.

Upon the memorial of Joanna Kent, of Suffield in this Colony, shewing to this Assembly that on her memorial to the Assembly in May last, praying for some relief for her

supporting her idiot child, Elias Kent, out of his estate, Capt. Josiah Bissel and Mr. Alexander Wolcott, both of Windsor, were appointed a committee to enquire and make report to this Assembly, and they having not been able to attend said business and make their report, praying they may be anew appointed, and make their report in May next: Resolved by this Assembly, that the power of said committee be renewed, and they are by this Assembly impowered to make their report in the matters referred to them to this Assembly in May next.

Upon the memorial of Gurdon Merchant, executor of the last will and testament of Mary Booth late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £3 10 6, lawful money, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum of £3 10 6, lawful money, with incident charges arising on such sale: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted him, to sell so much of the real estate of said deceased as will pay said sum of £3 10*s.* 6*d.* lawful money, with incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

Upon the memorial of John and Mary Goodsell, both of Fairfield, executors of the last will and testament of John Goodsell late of said Fairfield, deceased, shewing that the debts due from the estate of said deceased surmount his moveable estate the sum of £116 14*s.* 5½*d.* lawful money, for the payment of which there is no provision made in the last will of said deceased, and praying for liberty to sell so much of the real estate of said deceased as will pay said sum: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted them, to sell so much of the real estate of said deceased as will pay said sum of £116 14*s.* 5½*d.* lawful money, with the incident charges arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

[118] Upon the memorial of Stephen French and others, members of the society of New Stratford in Fairfield county, representing that they are desirous of having a military company among themselves, inclusive of the whole society, and that although the colonel of the regiment to which they belong hath viewed their circumstances and judges it reasonable they should be made a military company, yet, as they belong to three military companies, apprehends he is not by law en-

abled to form them into one company, and praying this Assembly to make and constitute them, said members, a distinct military company: Resolved by this Assembly, that the members of the society of New Stratford aforesaid be made and constituted a distinct military company, and they are hereby made a distinct military company, under the same regulations as other military companies in this Colony are.

Upon the memorial of Stephen Hopkins, administrator on the estate of Thomas Hopkins late of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of said Thomas Hopkins surmount the moveable estate the sum of £53 1*s.* 1*d.* lawful money, for the payment of which sum said memorialist hath no moveable estate to pay the same; praying that he, or some other meet person, may be appointed to make sale of so much of said real estate of said deceased as shall be sufficient to raise the sum aforesaid: It is resolved, that the memorialist have liberty, and liberty is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to raise the sum aforesaid together with the incident charges of said sale; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Levi Sholes, of Groton in the county of New London, and his wife Elizabeth, which Elizabeth is daughter of Mary Stoddard late of said Groton, deceased, shewing to this Assembly that the debts and charges on the estate of said deceased surmount the personal estate of said deceased the sum of £37 4*s.* 8*d.*, praying liberty to said memorialist, or some other person suitable, to sell so much of the real estate of said deceased as to pay said sum and the incident charges arising on said sale &c.: Resolved by this Assembly, that liberty be granted, and liberty and authority is hereby granted to said memorialists, to sell so much of the real estate of said deceased as to raise and pay said sum of £37 4*s.* 8*d.* with the incident charges arising on said sale; taking the advice and direction of the court of probate for the district of New London in the sale thereof.

Upon the memorial of Amos Hitchcock, administrator on the estate of John Hitchcock late of Newhaven, deceased, representing to this Assembly that the debts and charges, together with some allowances to the widow, surmount the moveable part of said estate the sum of £23 19 3, lawful money; praying for liberty to sell so much of said estate as shall be sufficient to pay said sum together with the incident charges of such sale, as per memorial on file: Resolved by

this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Sarah Humpherville, administratrix upon the estate of Benjamin Humpherville late of Newhaven, deceased, representing to this Assembly that the debts and charge due from the estate of said deceased, together with some allowance to the widow, surmount the moveable estate of said deceased the sum of £320 14*s*. 5*d*. lawful money; praying for liberty and authority to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charges of such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto her, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of such sale; taking the direction of the court of probate for the district of Newhaven therein.

Upon the memorial of Ruth Reynolds, administratrix on the estate of Samuel Reynolds late of Preston in New London county, deceased, shewing to this Assembly that the debts, charges, and necessaries set to the widow of the deceased, allowed by the court of probate for the district of Norwich, surmount the sum of the personal estate of said deceased the sum of £33 16*s*. 11*d*., and praying for liberty to sell of the real estate of said deceased to raise said sum and the necessary charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the memorialist be and she is hereby authorized and impowered, to sell so much of the real estate of said deceased as to raise the said sum of £33 16*s*. 11*d*. and the necessary charges arising on such sale; she taking the direction of the court of probate for the district of Norwich therein.

Upon the memorial of Samuel Silliman of Fairfield, administrator on the estate of Mary Leavit late of Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount her moveable estate the sum of twenty-two pounds ten shillings and six pence, lawful money, and praying for liberty to sell so much of the real estate of [119] said deceased as will be sufficient to pay said sum: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him,

to sell so much of the real estate of said deceased as will be sufficient to pay the aforesaid sum of £22 10*s.* 6*d.* lawful money, with the incident charges arising on such sale; taking the directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Mary Ball, administratrix on the estate of John Ball late of New Haven, deceased, shewing that the debts due from the estate of said deceased, with some allowance to the widow, surmount the moveable part of said estate the sum of £39 13 8, lawful money; praying for liberty to sell real estate to pay said sum: Resolved by this Assembly, that the memorialist have liberty, and she is hereby impowered, to sell so much of the real estate of said deceased as to raise money sufficient to pay said sum and the incident charges of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Samuel Jones, of Stratford in Fairfield county, administrator on the estate of James Dunlop late of said Stratford, deceased, representing to this Assembly that the debts now due from the estate of said deceased, which have been exhibited and allowed by the court of probate for the district of Fairfield against said estate since this Assembly in May last impowered the said administrator to sell part of the real estate of said deceased for payment of the former debts then appearing due from said estate, do amount to the sum of £84 12*s.* 10*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to raise said sum with the incident charges of such sale, as per memorial on file: Resolved by this Assembly, that the said administrator have liberty, and liberty, power and authority is hereby given to the said Samuel Jones, to bargain, sell and convey, so much of the real estate of said deceased as shall be sufficient to raise said sum of £84 12*s.* 10*d.* together with the incident charges of such sale; taking the advice of the court of probate for the district of Fairfield therein.

Upon the memorial of Amos Hitchcock, administrator upon the estate of Hannah Chidsey late of New Haven, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part of said estate the sum of £10 19*s.* 9½*d.* lawful money; praying for liberty to sell so much of the real estate as shall be sufficient to pay said sum together with the incident charges of such sale, as per memorial appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much

of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of such sale ; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Amos Hitchcock, administrator on the estate of Dinah Rock, *alias* Chidsey, late of New Haven, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part of said estate the sum of £12 6*s*. 10½*d*. lawful money ; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of such sale, as per memorial on file appears : Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of such sale ; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Elias Lee, administrator on the estate of William Johnson the 4th, late of Willington, deceased, shewing to this Assembly that the debts, charges and allowances due from said estate surmount the personal inventoried estate of the said deceased the sum of £103 3*s*. 11*d*. lawful money ; praying for liberty to sell so much of the real estate of the said deceased as to raise said sum for the payment of said debts, as per memorial on file : Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of the said deceased as to raise said sum of £103 3*s*. 11*d*. lawful money, for the payment of said debts, together with the necessary charges arising on said sale : taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Hannah Torrey, administratrix on the estate of Paul Torrey late of Killingly in Windham county, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Pomfret against the estate of said Paul Torrey late of Killingly, deceased, surmount the personal estate of said deceased the sum of £14 18 4½, and praying for liberty and authority to sell so much of the real estate of said deceased as to raise said sum of £14 18 4½ and the incident charges arising on said sale, as per memorial on file : Resolved by this Assembly, that the memorialist have liberty and she is hereby authorized and impowered, to sell so much of the real estate of the said Paul Torry, deceased, as to raise the said sum of £14

18 4½, lawful money, and the necessary charges arising on such sale; taking the direction of the court of probate for the district of Pomfret thereon.

[120] Upon the memorial of Moses Frost, of Waterbury in the county of New Haven, representing that at the superior court holden at Newhaven on the last Tuesday of August, 1764, he was indicted for the crime of forgery, for altering a note of hand in his favour for one pound five shillings or one thousand clapboards into one pound ten shillings, and was thereof convicted by verdict of the jury; complaining that he was convicted upon insufficient evidence, and praying for a new tryal &c., as by the memorial on file: Resolved by this Assembly, that said Moses Frost shall have the liberty of a new tryal on said indictment at the superior court to be holden at Newhaven on the last Tuesday of February, A. D. 1765, and that said Moses Frost be discharged from gaol on his procuring and giving sufficient bond with sureties, in the sum of fifty pounds lawful money, to the sheriff of the county of Newhaven for his appearance at the superior court to be holden at New Haven on the last Tuesday of February, 1765, and for his answering to the indictment referred to in said memorial.

On the memorial of Nathaniel Seeley of Fairfield, captain of the east military company in the society of North Fairfield, shewing to this Assembly that in fixing the southeasterly limits of said company in the township of Fairfield, the same was not extended so far as this Assembly have since extended the bounds of said North Fairfield society; praying that the southeasterly bounds of a military company may be made the same in the township of Fairfield with the bounds of said society: Resolved by this Assembly, that the southeasterly limits of said east military company in the society of North Fairfield be and the same is hereby extended to and made the same with the southeasterly bounds of said society in the town of Fairfield. And it is hereby ordered and enacted, that all persons living within the limits now added to said company for the future shall be subjected to and perform military duty with said east military company.

Upon the memorial of Jeremiah Everit, administrator on the estate of Benjamin Babcock, late of Norwich in New London county, deceased, shewing to this Assembly that the debts, charges and necessaries set to the widow and relict of the said deceased, and allowed by the court of probate for the district of Norwich, surmounts the sum of the inventoried personal estate of the said deceased the sum of £87 5 7¼, and praying for liberty and authority to sell so much of the real estate

of said deceased as to enable him to pay and discharge the said sum of £87 5*s*. 7¼*d*. and the necessary charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of the said deceased as to enable him to pay the said sum of £87 5 7¼ and the necessary charges arising on such sale: he taking the direction of the court of probate for the district of Norwich.

Upon the memorial of Samuel Abel and Joshua Abel, executors of the last will and testament of Samuel Abel late of Norwich, deceased, shewing to this Assembly that the debts, funeral charges and charge of administration, allowed by the court of probate for the district of Norwich, surmount the sum of the inventoried personal estate of the said deceased £32 15*s*. 11*d*., and praying for liberty and authority to sell of the real estate of the said deceased sufficient to pay the said sum and the necessary charges arising on such sale, they taking the direction of the court of probate &c.: Resolved by this Assembly, that the memorialists have liberty and they are hereby authorized and impowered, to sell so much of the real estate of the said deceased as to raise the said sum of £32 15*s*. 11*d*. and the necessary charges arising on such sale; they taking the direction of the court of probate for the district of Norwich therein.

Upon the memorial of Andrew Brewster, administrator on the estate of Sarah Brewster late of Norwich in New London county, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Norwich against the estate of Sarah Brewster late of Norwich, deceased, surmount the sum of the inventoried personal estate the sum of £18 10*s*. 9*d*., and praying to sell of the real estate of the said deceased to answer said sum and the incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of said Sarah, deceased, as to raise the said sum of £18 10*s*. 9*d*. and the necessary charges arising on such sale; he taking the direction of the court of probate for the district of Norwich therein.

Upon the memorial of Moses Webster of Harwinton, shewing to this Assembly that in the year 1756, his son, Moses Webster jun^r^ of said Harwinton, entered into the country service and went into the campaign of that year, and on his return home was so worn out by hardship in said ser-

vice that the said Moses was obliged to go to Albany and bring him from thence to his own house in said Harwinton; and that his said son by reason of said hardship brought on him, by sickness and weakness, by which he languished, and after about five years died, during which time the memorialist was at great charge and expence; praying this Assembly to allow him a reasonable sum for said charge and expence: Resolved by this Assembly, that the said Moses Webster have paid of the treasury of this Colony for his charge &c. the sum of twenty-five pounds in bills of credit; and the Treasurer is ordered to pay the same accordingly.

[121] Upon the memorial of Jabez Smith and William Morgan, both of Groton, shewing to this Assembly that in the month of December, 1761, the town of Groton appointed Oliver Woodbridge constable of said town for the year then ensuing; that he accordingly received a warrant from the Treasurer of this Colony for the rate due from the said town of Groton to this Colony for the year then next ensuing; that said memorialists were bound in a large bond, conditioned that said Woodbridge should faithfully perform said service; that said Woodbridge proceeded and collected part of said rates, but before he had finished collecting the same became insolvent, and is now unable to compleat the service aforesaid; that the arrears of said rates still uncollected amount to the sum of about two hundred and fifty pounds, lawful money; that the said town have no power by law to appoint another collector, and praying that some suitable person might be appointed by this Assembly to collect the arrears of said rates, or that in some other way this Assembly would grant relief; as per memorial on file: Resolved by this Assembly, that the said town of Groton have liberty, and they are hereby impowered, to choose a new collector to collect the residue of said rates, in the same manner as is by law provided when a collector dies before his year is out; and that said collector shall be responsible to the selectmen of said town for such rates as he shall receive to collect, and the selectmen shall be accountable for the same to the Colony Treasurer.

Upon the memorial of Mary Mallet and Peter Mallet, both of Stratford in Fairfield county, executors of the last will and testament of Peter Mallet late of said Stratford, deceased, representing that the debts due from said estate already exhibited and allowed by the court of probate do surmount the whole inventoried moveable estate of said deceased the sum of £610 5*s*. 0*d*. money, for payment whereof nothing

now is in their hands, nor are they by the will of said deceased enabled to raise anything by sale of any part of his real estate; praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and power and authority is hereby given to them, to sell and convey so much of the real estate of said deceased as shall be sufficient to raise said sum of £610 5*s.* 0*d.* money, together with the incident charges of such sale; taking the advice of the court of probate for the district of Fairfield therein.

On the petition of Jonathan Sturges, of Fairfield in the county of Fairfield, *vs.* Thadeus Burr, Gershom Burr and Eunice Burr, wife of said Thaddeus, and the legal representatives of Sarah Burr (late of Fairfield, deceased,) all of Fairfield aforesaid, as on file: The question was put, whether in proceeding to and rendering of the judgment complained of in said petition manifest error hath intervened, as set forth therein: Resolved by this Assembly in the negative. *Cost allowed respondents is* £2 0*s.* 8*d. lawful money.*

On the petition of Gideon Reynolds, Ichabod Ogden and Joseph Close, all of Greenwich in the county of Fairfield, *vs.* Jonas Mead of Greenwich aforesaid, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £2 17 9, *lawful money.*

On the petition of Elisha Bigelow, of Hartford in the county of Hartford, *vs.* John Benton of Hartford aforesaid, Elizabeth his wife, administratrix on the estate of Josiah Bigelow late of said Hartford, deceased, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative.

On the petition of Enos Benham and Anne his wife, late Anne Hulls, (one of the children and heirs of Doct. Jeremiah Hulls late of Wallingford in the county of New Haven,) of the same Wallingford, *vs.* Samuel Hiccox, George Nickols and Stephen Upson jun^{r}, all of Waterbury in said county of Newhaven, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is* £1 12 6, *lawful money. Ex. granted October* 31*st*, 1765.

On the petition of John Abbee, of Windham in the county

of Windham, *vs.* Amos Babcock, of Ashford in said county of Windham, as on file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £1 13 0, *lawful money.*

On the petition of Samuel Hall, of the parish of New Cheshire in the town of Wallingford in the county of New Haven, clerk, *vs.* Samuel Whittelsey of Milford, Chauncey Whittelsey and Elisha Whittelsey, of New Haven, Elihu Hall of Wallingford and Lois his wife, and James Dana of Wallingford and Katharine his wife, in the county aforesaid, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative.

On the petition of Josiah Mead, of Greenwich in the county of Fairfield, executor of the last will and testament of John Marshal late of said Greenwich, deceased, Micajah Marshall, of Cromwel-Bow precinct in Dutchess county and Province of New York, *vs.* John Marshal junr of Greenwich aforesaid, as on file: The question was put, whether the pleas offered by the respondent in abatement of this petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents is* £2 15 4, *lawful money.*

[122] The Sums Total of the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns in this Colony hereafter mentioned sent in to this Assembly are as follow, viz:

Windham,	£27025	12*s.*	8*d.*	Killingworth,	£17062	3*s.*	10*d.*
Danbury,	22449	12	11½	Suffield,	17133	7	0
New Hartford,	5550	9	0	Salisbury,	11950	5	6
Colchester,	27398	14	6	Branford,	22558	6	2 3
Plainfield,	11489	14	0	Voluntown,	10721	18	0
Symsbury,	24484	3	0	Kent,	12037	0	0
Killingly,	22617	0	0	East Haddam,	22892	12	0
Preston,	21705	6	6	Waterbury,	25939	10	9
Enfield,	10180	0	0	Cornwal,	5678	11	0
Norwalk,	37336	13	11	Sommers,	6813	0	0
Ridgefield,	14900	0	0	Coventry,	19138	7	2
New Fairfield,	9285	5	9	Canaan,	11076	15	0
Stafford,	7205	6	0	Sharon,	11785	6	0
Harwinton,	5367	6	0	Wellington,	6124	0	0
Lyme,	24497	3	3	Greenwich,	19620	14	5
Lebanon,	36700	4	6	Bolton,	9021	3	0
Pomfret,	21255	0	0	Ashford,	13320	1	3

Tolland,	£10872	8*s.*	3*d.*	Stonington,	£32720	7*s.*	6*d.*	
Saybrook,	22474	11	6	Groton,	23118	11	4	
Derby,	14746	9	11	Glastonbury,	14171	7	0	
Torrington,	4270	11	0	Stamford,	30156	17	4	
Woodbury,	41367	4	0	Woodstock,	16792	0	0	
Durham,	10726	9	6	Norwich,	57104	3	9	2
Goshen,	8779	9	0	Guilford,	33200	12	7	3
Milford,	26474	10	5½	Newtown,	17746	17	7	
New Milford,	18850	11	6	Fairfield,	58814	5	2	
New London,	32664	0	0	Farmington,	48774	15	0	
Windsor,	42633	15	0	Haddam,	14605	13	0	
Mansfield,	17696	15	9	Stratford,	45042	0	0	
Weathersfield,	29875	4	6	Midletown,	54169	1	0	
Litchfield,	15958	1	0	Canterbury,	17096	17	1	
Hebron,	19700	0	0	Wallingford,	43062	5	11	
Hartford,	37939	2	1	New Haven,	54818	15	0	

Upon the memorial of Daniel Bissel, John Palmer junr and Jerusha his wife, all of Windsor, which said Daniel and Jerusha are sole executors of the last will and testament of Capt. Joseph Wadsworth of said Windsor, late deceased, representing that the testator by his last will ordered and directed that his said executors should bring up to the college his only son and child, Joseph Wadsworth, to whom he devised the residuaries of his estate after his just debts and sundry legacies to the said Jerusha, who was then his wife, should be paid; that there remained of the clear personal estate of said testator no more than £114 11 7 old tenour; that the said Jerusha had expended of her own monies for the education of said Joseph the son, who is now in his third year at college, £267 3*s.* 0*d.* old tenour, and £88 14*s.* 7*d.* lawful money, which surmounted the clear personal estate of said testator, reckoning old tenour 10 for 1, the sum of £73 19*s.* 3*d.* lawful money, which is due to said Jerusha; praying for liberty to make sale of some part of the real estate of [123] said deceased given in said will to his son || Joseph, for reimbursing said sum due to said Jerusha and for the further expence of carrying said Joseph through college &c.: Resolved by this Assembly, that the said Daniel Bissel be appointed and he is hereby appointed and impowered, to make sale of so much of the real estate of said testator given to his said son Joseph as shall procure the sum of £160 0*s.* 0*d.* lawful money, to be improved for the purposes aforesaid; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Joshua Dart and John Gilbert, ad-

ministrators on the estate of Ebenezer Shailer, late of Bolton in the district of Hartford, deceased, shewing to this Assembly by a certificate from the clerk of probate that the debts and charges due from the estate of said deceased for which no grant for sale of real estate hath been heretofore made surmounts the moveable estate of said deceased the sum of £14 10*s*. 9¾*d*. lawful money; praying this Assembly to appoint the memorialists, or some other person, to sell so much of the real estate of said deceased as will raise said sum of £14 10*s*. 9¾*d*. lawful money, for the payment of said debts, together with incident charges of sale, taking the direction of the court of probate for the district of Hartford therein, as by memorial on file: Resolved by this Assembly, that the memorialists have liberty, and authority is hereby granted to them, the said memorialists, to sell so much of the real estate of the aforesaid Ebenezer Shailer, deceased, as to raise said sum of £14 10*s*. 9¾*d*. lawful money, together with the incident charges of sale; taking the direction of the court of probate in the district of Hartford therein.

On the memorial of David Goff and Mary Goff, *alias* Mary Nash, administrators on the estate of John Nash late of Windsor, deceased, for liberty to sell of the real estate of said deceased to the value of £56 9*s*. 7*d*. lawful money, for the payment of the debts and charges due from said estate &c.: Resolved by this Assembly, that the memorialists have liberty, and it is hereby granted to them, to sell so much of the real estate of the said John Nash of Windsor, deceased, as will procure the sum of £56 9 7, lawful money, with the necessary charges of sale; taking the advice of the court of probate in the district of Hartford therein.

Whereas Daniel Porter, of Waterbury in the county of Newhaven, being recognized to appear before this Assembly to answer to the complaint of the grandjurors of the said town of Waterbury, accusing the said Porter with uttering reproachful words and expressions relative to some of the laws of this Colony, and the aforesaid Porter accordingly appearing before this Assembly confessed that he uttered the words alledged in said complaint, but representing that it was only the effects of sudden passion, and that he was heartily grieved and afflicted for his misconduct therein, and retracted the same, begging pardon and promising reformation; praying for the forgiveness of this Assembly: It is thereupon resolved by this Assembly, that the aforesaid Daniel Porter be and he is hereby discharged from the prosecution aforesaid, upon paying the cost of the same. *Cost allowed is* £1 5 3, *lawful money.*

On the report of the committee appointed to liquidate and settle the accounts of building and finishing the new State House at New Haven: Resolved by this Assembly, that the Treasurer of this Colony be ordered, and he is hereby ordered and directed, to pay out of the Colony treasury to the committee appointed by the county of Newhaven to carry on and compleat the building said house, or their order, the sum of nine hundred and seven pounds nine shillings and three farthings, in bills of credit on this Colony; it being the full balance on the part of this Colony of the one moiety or half part of the sum total of the cost and charge expended in building and compleating said house, as settled by said committee.

Upon the representation made to this Assembly by Increase Moseley and Bushnel Bostwick, Esq^{rs}, that they together with Isaac Baldwin, Esq^{r}, were appointed by this Assembly in May last, to enquire into the accounts of the managers of the Housatunuck River Lottery, and also to enquire into the estate of William Tanner, deceased, &c., and that they have found the accompts of five of said managers, but have not been able to enquire into the accompts of Jehiel Hawley, one of said managers, he being removed out of this government, and that they have not been able to make a full enquiry into the estate of William Tanner, deceased, and shewing to this Assembly that it is highly probable that they can account with the said Hawley in a short time, and also that their need of a further enquiry into the estate of the said William Tanner, deceased: It is therefore resolved by this Assembly, that said Increase Moseley, Bushnel Bostwick and Isaac Baldwin, Esq^{rs}, be further appointed and impowered, to look into the accompts of said managers, particularly the said Jehiel Hawley, and that they be fully impowered to examine and enquire fully into the estate of the said William Tanner, deceased, and summon what evidence they shall think proper to give evidence thereof, and make their report to this Assembly at Hartford in May next.

[124] *Resolved by this Assembly*, That the Treasurer of this Colony be and he is hereby directed to attend on this Assembly on Tuesday the 30th of instant October, (and also bring with him a sufficient quantity of the bills emitted by this Colony,) to pay the members thereof.

This Assembly do appoint Ebenezer Backus, Esq^{r}, to be a Justice of the Quorum for the county of New London until the first day of June next.

This Assembly appoints Barnabas Hinsdell of Hartford Surveyor of Lands for the county of Hartford.

This Assembly appoints Seth Wetmore junr, of Midletown, Surveyor of Lands for the county of Hartford.

This Assembly do appoint Mr. Giles Hall of Wallingford Surveyor of Lands for the county of Newhaven.

This Assembly do appoint Mr. Paul Wheeler of Stonington a Surveyor of Lands for the county of New London.

This Assembly do appoint Mr. Judah Kellogg of Stratford Surveyor of Lands for the county of Fairfield.

This Assembly do appoint Mr. Benjamin Huntington of Windham Surveyor of Lands for the county of Windham.

This Assembly grants to his Honour the Governor the sum of £76 16 2, for his service in drawing bills of exchange on the Colony's Agent in London for the sum of £23042 7 6, sterling, since the 5th of June last to the 31st of October instant inclusive; and the Treasurer of this Colony is hereby directed to pay the same accordingly.

This Assembly grants to his Honour the Governor, for his salary the last half of the current year, the sum of one hundred and fifty pounds; and the Treasurer is hereby directed to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor, for his salary the last half of the current year, the sum of fifty pounds; and the Treasurer is hereby directed to pay the same accordingly.

Resolved by this Assembly, That Major David Baldwin pay and deliver to the Treasurer of this Colony the sum of forty-two pounds five shillings and ten pence, money, which is the balance due to the Colony on an account settled with him by a committee from this Assembly, and take two receipts of the Treasurer and lodge one of them with the Secretary.

Resolved by this Assembly, That the Treasurer of the Colony be and he is hereby ordered and directed to pay out of the Colony Treasury to Mr. Timothy Green, printer, the sum of £11 2 6, in bills of credit of this Colony, in full for services done by him for said Colony.

Resolved by this Assembly, That the Treasurer of this Colony pay out of the Colony treasury in bills of credit to Benjamin Mecom of Newhaven, printer, the sum of £16 13*s*. 0*d*. for printing sundry pamphlets and proclamations and other services done for this Colony.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again. *Teste* GEORGE WYLLYS, Secret'ry.

An Account of the Sums emitted in Paper Bills by the Colony of Connecticut since Jan'y, 1749, and the Amount in Money of Great Britain, the Time fixed for calling in, sinking and discharging said Bills, and Funds appropriated for that Purpose

Sums emitted.	The amount in Sterling.	Times when issued.	When payable.	Funds appropriated.	To be paid in to the Treasury.
7500	is 5625	January 1755.	May, 1758.	Tax, 2*d.*	August, 1757.
30000	22500	August, 1755.	August, 1760.	Tax 3*d.*	August, 1759.
				4*d.*	April, 1760.
12000	9000	October, 1755.	April, 1760.	Tax 3*d.*	August, 1759.
30000	22500	March, 1758.	May, 1762.	Tax 8*d.*	Decemb. 1761.
20000	15000	Feb'y, 1759.	May, 1763.	Tax 5*d.*	Decemb. 1762.
40000	30000	March, 1759.	March, 1764.	Tax 10*d.*	Decemb. 1763.
10000	7500	May, 1759.	May, 1763.	Tax 2¼*d.*	Decemb. 1762.
70000	52500	March, 1760.	March, 1765.	Tax 6*d.*	Decemb. 1761.
				9*d.*	Decemb. 1764.
45000	33750	March, 1761.	March, 1766.	Tax 5*d.*	Decemb. 1763.
				7*d.*	Decemb. 1765.
65000	48750	March, 1762.	March, 1767.	Tax 6*d.*	Decemb. 1764.
				8*d.*	Decemb. 1766.
10000	7500	May, 1763.	May, 1765.	Tax 2*d.*	Decemb. 1764.
7000	5250	March, 1764.	March, 1768.	Tax 1¾*d.*	Decemb. 1767.

N.B. A tax of one penny on the pound raises about five thousand pounds.

The committee appointed by the General Assembly of Connecticut having with great care and exactness prepared the above accompt in order to be transmitted to the Right Hon^ble^ the Lords Commissioners for Trade and Plantations, in obedience to their order signified by their letter of 11th May, 1764, beg leave to observe, that the bills abovementioned are of the tenour of promissory notes of hand payable to the possessor by the Treasurer of the Colony with an interest of £5 ℔ *ct.* ℔ *annum* from the date; that their value has remained invariable, permanent and stable, and that the funds appropriated for calling in, sinking and discharging said sums emitted are a tax or assessment levied on the polls and other rateable estate, consisting of houses, lands, cattle and other personal estate, a list whereof is annually taken in the respective towns, under the inspection and examination of men specially by each town chosen thereunto and sworn, and by them annually returned to the General Assembly; and that the sums which have been granted by Parliament as a compensation to the Colony have been improved for the paying, sinking and discharging said emissions, which were issued for the service of the war and the exigencies thereof; and that the enumerated emissions (save only some small sums of 1761,) antecedent to that of March, 1762, are called in, sunk and discharged.

All which is humbly submitted by Your Honors humble servant,

Signed per order, ELIPH'T DYER.

Gen^l^ Assembly Oct. 1764, in the Upper House,

The foregoing Report of the Committee is accepted and approved.

Test. GEORGE WYLLYS, Secret'y,

Concurr'd in the Lower House.

Test. WM. PITKIN jun., Clerk.

Finance & Currency, v. doc. 5.

[126] *Anno Regni Regis Georgii tertii quinto.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY (BEING THE NINTH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE [THIRD] DAY OF JUNE NEXT FOLLOWING, ANNOQUE DOMINI 1765.

Present:

The Honorable Thomas Fitch, Esq^r, *Governor.*
The Honorable William Pitkin, Esq^r, *Deputy Governor.*

Ebenezer Silliman, Esq^r,	Jabez Hamlin, Esq^r,	*Assistants.*
Jonathan Trumble, Esq^r,	Mathew Griswold, Esq^r,	
Hezekiah Huntington, Esq^r,	Shubael Conant, Esq^r,	
John Chester, Esq^r,	Elisha Sheldon, Esq^r,	
Benjamin Hall, Esq^r,	Eliphalet Dyer, Esq^r,	
Daniel Edwards, Esq^r,	Jabez Huntington, Esq^r,	

Representatives or Deputies who attended this Assembly are as follow, (viz:)

Colo. William Pitkin, Colo. Samuel Talcott, for Hartford.
Mr. Roger Sherman, Mr. Samuel Bishop jun^r, for New Haven.
Capt. Pygan Adams, Mr. William Hillhouse, for New London.
Mr. David Rowland, Capt. David Burr, for Fairfield.
Mr. Nathaniel Wales, Mr. Hezekiah Manning, for Windham.
Colo. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.
Mr. Daniel Lothrop, Mr. Samuel Huntington, for Norwich.
Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.
Capt. Abel Merrels, Capt. Mathew Gillet, for New Hartford.
Capt. Joseph Denison, Mr. Charles Phelps, for Stonington.
Capt. Zebulon West, Mr. Elijah Chapman, for Tolland.
Mr. Richard Fairman, Capt. Henry Glover, for Newtown.
Mr. William Noyes, Mr. Samuel Selden, for Lyme.
Mr. Jonathan Dresser, Mr. Samuel Craft, for Pomfret.
Capt. Jabez Fitch, Mr. Daniel Tyler, for Canterbury.
Capt. James Bradford, Capt. Isaac Coit, for Plainfield.
Major Hez^h Brainerd, for Haddam.
Mr. Daniel Brainerd, for East Haddam.
[127] Mr. Solomon Whitman, Mr. Jonathan Root, for Farmington.
Capt. Nehemiah Lyon, Mr. Ebenezer Smith jr, for Woodstock.
Capt. John Benedict, Mr. Sam^l Dickingson, for Danbury.
Mr. John Gordon, Mr. Moses Kinney, for Voluntown.
Capt. John Murdock, for Saybrook.
Mr. Joseph Hopkins, Capt. Timothy Judd, for Waterbury.

Capt. Thomas Russel, Mr. Joshua Pierce, for Cornwall.
Capt. Wm. Sam[l] Johnson, Mr. Joseph Curtiss, for Stratford.
Colo. Elihu Chauncey, Capt. James Wadsworth, for Durham.
Mr. John Kimberly, Mr. William Welles, for Glastonbury.
Mr. Benja. Stephens, Mr. Timothy Hurlburt, for Canaan.
Capt. Abner Barker, Mr. Moses Holmes, for Wellington.
Mr. Phineas Strong, Mr. Ephraim Root, for Coventry.
Capt. Thomas Hobby, Capt. Jabez Mead, for Greenwich.
Capt. John Williams, Capt. Caleb Jewet, for Sharon.
Mr. Seth Wetmore, Mr. Richard Alsop, for Midletown.
Mr. William Barns, for New Fairfield.
Mr. Thomas Fitch j[r], Mr. Joseph Platt, for Norwalk.
Mr. Math[w] Rockwell, Mr. Henry Allyn, for Windsor.
Capt. Elisha Williams, Capt. Thomas Belding, for Weathersfield.
Colo. Timothy Stone, Mr. Nathaniel Hill, for Guilford.
Capt. Daniel Catlin, for Harwinton.
Mr. Amos Babcock, Capt. Jedediah Fay, for Ashford.
Mr. Benjamin Gale, Capt. John Pierson, for Killingworth.
Mr. Eryant Brown, Mr. Ebenezer Learned, for Killingly.
Capt. William Hoadly, Mr. Josiah Rogers, for Branford.
Mr. Bushnel Bostwick, Capt. Samuel Canfield, for New Milford.
Capt. Tho[s] Chittinden, Mr. Joshua Porter, for Salisbury.
Capt. John Fowler, Capt. Thomas Clark, for Milford.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Capt. Samuel Gilbert, Mr. John Phelps, for Hebron.
Capt. Dudley Wright, Mr. Daniel Foot, for Colchester.
Mr. Daniel Sherman, Mr. Increase Moseley, for Woodbury.
Capt. Thomas Pitkin, for Bolton.
Mr. Benjamin Chaplin, Mr. William Hall, for Mansfield.
Capt. Isaac Pinney, Capt. Samuel Daviss, for Stafford.
Mr. Timothy Keeler, for Ridgefield.
Mr. Charles French, Mr. Joseph Hull, for Derby.
Capt. Moses Lyman, Mr. Ebenezer Norton, for Goshen.
Mr. Simeon Hathaway, Mr. Daniel Austin, for Suffield.
Capt. William Winter, for Preston.
Maj[r] Elihu Hall, Mr. Titus Brocket, for Wallingford.
Mr. John Cook, Mr. Jonathan Coe, for Torrington.
Mr. Edward Collins, Capt. Joseph Olmstead, for Enfield.
Capt. Joshua West, Mr. William Williams, for Lebanon.
Mr. Amory Pease, for Somers.
Capt. Jonath. Pettibone, Mr. Hez[h] Humphrey, for Symsbury.
Mr. Cyrus Marsh, Mr. Ephraim Hubbel jun[r], for Kent.

Mr. Abraham Davenport, Speaker } of the House of
Colo. William Pitkin, Clerk } Representatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Governor, Council and Representatives, to receive, sort and [128] count them; which persons were, || Hezekiah Huntington, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Eliphalet Dyer, Jabez Huntington, Esq^{rs}, Colo. Samuel Talcott, Mr. Seth Wetmore, Maj^{r} Elihu Hall, Mr. Daniel Lothrop, Mr. Samuel Bishop, Capt. Samuel Murdock, Capt. David Burr, Capt. William Samuel Johnson, Capt. Jabez Fitch, Capt. Joshua West, Colo. Ebenezer Marsh, and Mr. Bushnel Bostwick, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honorable Thomas Fitch, Esq^{r}, is chosen Governor of this Colony for the year ensuing.

The Honorable William Pitkin, Esq^{r}, is chosen Deputy Governor of this Colony the year ensuing.

Ebenezer Silliman, Esq^{r}, Jonathan Trumble, Esq^{r}, Hezekiah Huntington, Esq^{r}, John Chester, Esq^{r}, Benjamin Hall, Esq^{r}, Daniel Edwards, Esq^{r}, Jabez Hamlin, Esq^{r}, Mathew Griswold, Esq^{r}, Shubael Conant, Esq^{r}, Elisha Sheldon, Esq^{r}, Eliphalet Dyer, Esq^{r}, and Jabez Huntington, Esq^{r}, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq^{r}, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^{r}, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath prescribed by the law of this Colony, and the oath required by the act of Parliament made and passed in the fourth year of the reign of his Majesty George the 3d, entituled An act for granting certain duties in the British Colonies and Plantations in America,* &c., were taken by the

*4 Geo. iii, cap. xv. An Act for granting certain duties in the British Colonies and Plantations in America; for continuing, amending and making perpetual an act passed in the sixth year of the reign of his late Majesty King George the second, (intituled An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America;) for applying the produce of such duties, and of the duties to arise by virtue of the said act, towards defraying the expences of defending, protecting and securing the said colonies and plantations; for explaining an act made in the twenty-fifth year of the reign of King Charles the second, (intituled An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade;) and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain.

Hon^ble Thomas Fitch, Esq^r, now chosen Governor, in the presence of the Council and Assembly.

The Deputy Governor's oath prescribed by law was administered by his Honour the Governor to the Hon^ble William Pitkin, Esq^r, now chosen Deputy Governor, in the presence of the Assembly.

The Assistant's oath prescribed by law was administered by his Honor the Governor to Ebenezer Silliman, Jonathan Trumble, Hezekiah Huntington, John Chester, Benjamin Hall, Daniel Edwards, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon, Eliphalet Dyer and Jabez Huntington, Esq^rs, now chosen Assistants over this Colony.

The Treasurer's oath prescribed by law was administered to Joseph Talcott, Esq^r, now chosen Treasurer of this Colony.

The Secretary's oath prescribed by the law of this Colony was administered by his Honour the Governor to George Wyllys, Esq^r, now chosen Secretary, in the presence of the Assembly.

Ordered, That Daniel Edwards and Samuel Talcott, Esq^rs, return the thanks of this Assembly to the Reverend Mr. Edward Dorr, for his sermon delivered before this Assembly on the 9th instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Honorable William Pitkin, Esq^r, to be Chief Judge of the Superior Court in this Colony the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq^r, Daniel Edwards, Esq^r, Benjamin Hall, Esq^r, and Robert Walker, Esq^r, to be Judges of the superior court in this Colony for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r, to be Judge of the County Courts in and for the county of Hartford for the year ensuing.

This Assembly do appoint Roger Newton, Esq^r, to be Judge of the County Court in and for the county of New Haven for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r, to be Judge of the County Courts in and for the county of New London for the year ensuing.

This Assembly do appoint David Rowland, Esq^r, to be Judge of the County Court in and for the county of Fairfield for the year ensuing.

[129] This Assembly do appoint Jonathan Trumble, Esq^r, to be Judge of the County Court in and for the county of Windham for the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, to be Judge of the County Court in and for the county of Litchfield for the year ensuing.

This Assembly do appoint Daniel Edwards, Esq^{r}, to be Judge of the Court of Probate for the district of Hartford for the year ensuing.

This Assembly do appoint John Hubbard, Esq^{r}, to be Judge of the Court of Probate in and for the district of New Haven for the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq^{r}, to be Judge of the Court of Probate in and for the district of New London for the year ensuing.

This Assembly do appoint David Rowland, Esq^{r}, to be Judge of the Court of Probate in and for the district of Fairfield for the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq^{r}, to be Judge of the Court of Probate in and for the district of Windham for the year ensuing.

This Assembly do appoint Jabez Fitch, Esq^{r}, to be Judge of the Court of Probate in and for the district of Plainfield for the year ensuing.

This Assembly do appoint Timothy Stone, Esq^{r}, to be Judge of the Court of Probate in and for the district of Guilford for the year ensuing.

This Assembly do appoint Daniel Sherman, Esq^{r}, to be Judge of the Court of Probate in and for the district of Woodbury for the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq^{r}, to be Judge of the Court of Probate in and for the district of Stamford for the year ensuing.

This Assembly do appoint Joseph Spencer, Esq^{r}, to be Judge of the Court of Probate in and for the district of East Haddam for the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq^{r}, to be Judge of the Court of Probate in and for the district of Litchfield for the year ensuing.

This Assembly do appoint Thomas Benedict, Esq^{r}, to be Judge of the Court of Probate in and for the district of Danbury for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq , to be Judge of the Court of Probate in and for the district of Norwich for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^{r}, to be Judge of the Court of Probate in and for the district of Middletown for the year ensuing.

This Assembly do appoint Ebenezer Williams, Esq^{r}, to be Judge of the Court of Probate in and for the district of Pomfret for the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, to be Judge of the Court of Probate in and for the district of Sharon for the year ensuing.

This Assembly do appoint Zebulon West, Esq^{r}, to be Judge of the Court of Probate in and for the district of Stafford for the year ensuing.

This Assembly do appoint William Wolcott, Zebulon West, Seth Wetmore and Samuel Talcott, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Thomas Welles, Phineas Lyman, Joseph Fowler, George Wyllys, Joseph Talcott, John Ledyard, Thomas Hosmer, Jonathan Hills, Thomas Seymour, John Pitkin, Jonathan Belding, Elisha Williams, Daniel Bissel, Samuel Enno, Erastus Wolcott, Josiah Bissel, Henry Allyn, Joseph White, Joseph Southmaid, Mathew Talcott, John Hooker, Solomon Whitman, Jared Lee, Hezekiah Gridley, Joseph Hart, John Strong, John Owen, Judah Holcomb, Jonathan Pettibone, Hezekiah Humphrey, Samuel Kent, Hezekiah Brainerd, Joseph Wells, Jonathan Hale, John Kimberly, William Welles, Joseph Spencer, Daniel Cone, Daniel Brainerd jun^{r}, Epaphras Lord, John Watrous, Daniel Foot, John Phelps, Alexander Phelps, Thomas Pitkin, Benjamin Talcott, Elisha Steel, Ephraim Terry, Isaac Pinney, Samuel Reynolds, Abner Barker, William Wadsworth, and Joseph Olmstead, Esq^{rs}, to be Justices of the Peace in and for the county of Hartford for the year ensuing.

This Assembly do appoint Mr. Nathaniel Chauncey to be a Justice of the Peace in and for the county of Hartford for the year ensuing.

[130] This Assembly do appoint John Hubbard, Elihu Chauncey, Timothy Stone and Thomas Darling, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Newhaven for the year ensuing.

This Assembly do appoint Samuel Sherman, John Whiting, Samuel Sacket, Daniel Lyman, Samuel Hemingway, Roger Newton, Robert Treat, Nathan Baldwin, Joseph Woodruff, John Fowler, Timothy Russel, Daniel Holbrook, Charles French, Thomas Mathews, Joseph Hopkins, Caleb Humiston, Timothy Judd, Jonathan Russel, Josiah Rogers, Samuel Barker, William Hoadly, Theophilus Rossiter, Samuel Robinson, Nathaniel Ruggles, Nathaniel Hills, Josiah Meiggs,

James Wadsworth jun^{r}, Elihu Hall, Ezekiel Royce, John Hall 2d, Caleb Merriman, Benjamin Hall 4th, Jared Ingersoll, and Roger Sherman, Esq^{rs}, to be Justices of the Peace in and for the county of New Haven for the year ensuing.

This Assembly do appoint Christopher Avery, Richard Lord, Pygan Adams and Ebenezer Backus, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of New London for the year ensuing.

This Assembly do appoint Benjamin Gale, Elnathan Stephens, Aaron Eliot, Joseph Wilcox, John Pierson, Nathaniel Clark, John Tulley, Hezekiah Whittelsey, John Murdock, Samuel Ely, John Lay 2d, Benjamin Lee, George Dorr, Samuel Selden, John Richards, Daniel Coit, William Hilhouse, Luke Perkins, William Williams, Ebenezer Avery, Nathan Smith, Joseph Denison, Samuel Perkins, Amos Cheesbrough, John Williams, Charles Phelps, Samuel Morgan, Samuel Coit, William Wittar, Humphrey Avery, William Whiting, Ebenezer Hartshorn, Jacob Perkins, Simon Tracey jun^{r}, Samuel Huntington and William Noyes, Esq^{rs}, to be Justices of the Peace in and for the county of New London for the year ensuing.

This Assembly do appoint Jonathan Hoit, Samuel Fitch, John Read and Abraham Davenport, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Fairfield for the year ensuing.

This Assembly do appoint David Rowland, Robert Fairchild, Robert Walker, Agur Tomlinson, Theophilus Nickols, Samuel Adams, Ichabod Lewiss, James Walker, William Burr, Lothrop Lewiss, Thomas Hill, David Burr jun^{r}, Moses Dimon, Samuel Sherwood, Joseph Platt, Thomas Fitch jun^{r}, Theophilus Fitch, Elias Betts, Jonathan Maltbie, John Ferriss, Peter Mead, Samuel Olmstead, Samuel Smith, Thomas Benedict, Joseph Platt-Cook, Ephraim Hubbel, Caleb Baldwin, Richard Fairman, William Samuel Johnson, and Samuel Taylor, Esq^{rs}, to be Justices of the Peace in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Shubael Conant, Esq^{r}, a Justice of the Quorum for the county of Windham the year ensuing.

This Assembly do appoint John Dyer, Jabez Fitch, and Joshua West, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Windham for the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Samuel Gray, Jedidiah Elderkin, Nathaniel Wales jun^{r}, Joseph Clark, William Metcalf, William Williams, Joseph Storrs, Joseph Strong, Phineas Strong, Samuel

Huntintgon of Canterbury, John Curtiss, Benjamin Wheeler, Isaac Coit, John Smith, Robert Dixon, Jeremiah Kinnee, Samuel Danielson, Jacob Dresser, Thomas Moffat, Ebenezer Williams, William Osgood, Thomas Williams of Pomfret, John Grosvenor, Samuel Chandler, Nathaniel Child, Ebenezer Smith junr, Elijah Whiton, Ebenezer Wales, and Benjamin Sumner, Esqrs, to be Justices of the Peace in and for the county of Windham for the year ensuing.

This Assembly do appoint Ebenezer Marsh, Increase Moseley, Daniel Sherman and Bushnel Bostwick, Esqrs, to be Justices of the Peace and Quorum in and for the county of Litchfield for the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Isaac Baldwin, Jacob Woodruff, Daniel Everit, Elisha Stoddard, Benjamin Hinman, Tilley Blakeley, Paul Welch, Samuel Bostwick, John Ransom, Daniel Lee, Nathan Eliot, Cyrus Marsh, Daniel Griswold of Sharon, James Landon, John Hutchinson, David Whitney, John Bebee, John Beach, Moses Lyman, Samuel Nash, Thomas Russell, Cyprian Webster, Abijah Catlin, Isaac Kellogg, Mathew Gillet, John Cook, Epaphras Sheldon, and Michael Humphrey, Esqrs, to be Justices of the Peace in and for the county of Litchfield for the year ensuing.

This Assembly do appoint Jabez Huntington, Esqr, to be Lieutenant-Colonel of the third regiment of the militia in this Colony.

This Assembly do appoint Mathew Griswold, Esqr, to be Major of the third regiment of the militia in this Colony.

This Assembly do establish Mr. Joseph Brownson to be Captain of the 2d company or trainband in the first society in the town of Waterbury.

[131] This Assembly do establish Mr. William Hickcox to be Lieutenant of the second company or trainband in the 1st society in the town of Waterbury.

This Assembly do establish Mr. Aaron Harrison to be Ensign of the second company or trainband in the 1st society in the town of Waterbury.

This Assembly do establish and confirm Mr. Jonas Frink to be Ensign of the 2d company or trainband in the town of Preston.

This Assembly do establish Mr. Elijah Tisdale to be Captain of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Walter Hide to be Lieu-

tenant of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. James Clark to be Ensign of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. William Matson to be Ensign of the 5th company or trainband in Lyme, in the 3d regiment in this Colony.

This Assembly do establish Mr. Abner Lee to be Captain of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Henry Champion junr to be Lieutenant of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Richard Wait junr to be Ensign of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Nathan Morehouse to be Ensign of a company or trainband in the parish of Norfield in the town of Fairfield, in the 4th regiment in this Colony.

This Assembly do establish Mr. David Cooley to be Lieutenant of a company or trainband in the parish of Norfield in the town of Fairfield, in the 4th regiment in this Colony.

This Assembly do establish Mr. Jabez Edgerton to be Captain of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Amos Richardson to be Lieutenant of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Thomas Brown to be Ensign of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Gates 2d to be Captain of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Israel Wyat Wells to be Cornet of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Ichabod Olmstead to be Quarter-Master of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Wilson to be Captain of the westermost company or trainband in the town of Greenwich in the 9th regiment in this Colony.

This Assembly do establish Mr. Joseph Sandford to be Quarter-Master of the 2d troop of horse in this Colony.

This Assembly do establish Mr. John Noyes Wadsworth to be Lieutenant of the south company or trainband in the town of Lyme.

This Assembly do establish Mr. Eliakim Strong to be Ensign of the south company or trainband in the town of Durham.

This Assembly do establish Mr. Joseph Eaton to be Captain of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Dyer to be Lieutenant of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Simon Shepard to be Cornet of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Robert Dixon junr to be Quarter-Master of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Samuel Daviss to be Captain of the 13th company or trainband in the 5th regiment in this Colony.

[132] This Assembly do establish Mr. Nathan Johnson to be Lieutenant of the 13th company or trainband in the fifth regiment in this Colony.

This Assembly do establish and confirm Mr. Jonas Cady to be Ensign of the 13th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Sutlief to be Captain of the new company or trainband in the parish of Northbury in the town of Waterbury.

This Assembly do establish Mr. Stephen Seymour to be Lieutenant of the new company or trainband in the parish of Northbury in the town of Waterbury.

This Assembly do establish Mr. David Blacksley to be Ensign of the new company or trainband in the parish of Northbury in the town of Waterbury.

This Assembly do establish Mr. Benjamin Upson to be Lieutenant of the company or trainband in the parish of Northberry in the town of Waterbury.

This Assembly do establish Mr. Samuel Curtiss junr to be Ensign of the company or trainband in the parish of Northberry in the town of Waterbury.

This Assembly do establish Mr. Josiah Case 2d to be Captain of the 5th company or trainband in the town of Symsbury.

This Assembly do establish Mr. Zebulon Hibbard to be

Lieutenant of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Elisha Hurlburt to be Ensign of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Talcott Bulkley to be Lieutenant of the 2d company or trainband in the town of Fairfield.

This Assembly do establish Mr. Hezekiah Sturges to be Ensign of the second company or trainband in the town of Fairfield.

This Assembly do establish Mr. Nathaniel Gilbert to be Captain of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Thomas Ward to be Lieutenant of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Cornwell to be Ensign of the 11th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Dijah Fowler to be Lieutenant of the 10th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Robert Cheesbrough to be Ensign of the first company or trainband in the town of Stonington, in the 8th regiment in this Colony.

This Assembly do establish and confirm Mr. Nicodemus Miller to be Captain of the new company or trainband in the town of Lyme, in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Way to be Lieutenant of the new company or trainband in the town of Lyme, in the 3d regiment in this Colony.

This Assembly do establish Mr. Jesse Beckwith to be Ensign of the new company or trainband in the town of Lyme, in the 3d regiment in this Colony.

This Assembly do establish Mr. Elisha Lothrop to be Captain of the 4th company or trainband in the town of Norwich.

This Assembly do establish Mr. Jeremiah Kinsman to be Lieutenant of the 4th company or trainband in the town of Norwich.

This Assembly do establish Mr. Ebenezer Bishop to be Ensign of the 4th company or trainband in the town of Norwich.

This Assembly do establish Mr. Hezekiah Marsh to be

Captain of the 1st company or trainband in the town of Hartford.

This Assembly do establish Mr. Benjamin Payne to be Lieutenant of the 1st company or trainband in the town of Hartford.

This Assembly do establish Mr. Joseph Talcott junr to be Ensign of the 1st company or trainband in the town of Hartford.

This Assembly do establish Mr. Josiah Allyn to be Lieutenant of the 2d company or trainband in the town of Windsor.

[133] This Assembly do establish Mr. John Allyn to be Ensign of the second company or trainband in the town of Windsor.

This Assembly do establish Mr. Henry Lyon to be Lieutenant of the company or trainband in the east division of the parish of Reading.

This Assembly do establish Mr. Gershom Morehouse junr to be Ensign of the company or trainband in the east division of the parish of Reading.

This Assembly do establish Mr. Arnold Tibbals to be Captain of the sixth company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Eliphal Gillet to be Lieutenant of the sixth company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Gideon Camp to be Ensign of the 6th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Israel Loomiss to be Captain of the second troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Seth Wright to be Lieutenant of the second troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Vetch Williams to be Cornet of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Silas Sprague to be Quarter-Master of the 2d troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Saml Cook to be Ensign of the west company or trainband in the town of Harwinton.

This Assembly do establish Mr. Henry Hawley to be Cap-

tain of the company or trainband in the parish of New Stratford.

This Assembly do establish Mr. Nathan Booth to be Lieutenant of the company or trainband in the parish of New Stratford.

This Assembly do establish Mr. James Clark to be Ensign of the company or trainband in the parish of New Stratford.

This Assembly do establish Mr. John Blogget to be Captain of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Phelps to be Lieutenant of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Ephraim Hide to be Ensign of the 7th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Hoit to be Captain of the 1st company or trainband in the town of Stamford.

This Assembly do establish Mr. Hezekiah Weed junr to be Lieutenant of the first company or trainband in the town of Stamford.

This Assembly do establish Mr. Silas Bishop to be Ensign of the 1st company or trainband in the town of Stamford.

This Assembly do establish Mr. William Danielson to be Captain of the 14th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Simeon Spalding to be Lieutenant of the 14th company or trainband in the 11th regment in this Colony.

This Assembly do establish Mr. Samuel Stearns to be Ensign of the 14th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Philip Spalding to be Lieutenant of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. William Cutler to be Ensign of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Ephraim Leach to be Lieutenant of the 6th company or trainband in the town of New London.

This Assembly do establish Mr. William Douglass to be Ensign of the 6th company or trainband in the town of New London.

This Assembly do establish Mr. Justus Sacket to be Captain of the 2d company or trainband in the town of Kent.

[134] This Assembly do establish and confirm Mr. Daniel Gates to be Lieutenant of the first company or trainband in the town of Preston.

This Assembly do establish Mr. Ebenezer Weller junr to be Ensign of the first company or trainband in the town of Preston.

This Assembly do establish Mr. Josiah Harrison junr to be Lieutenant of the 11th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Ebenezer Russel to be Ensign of the 11th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Gideon Hurlburt to be Ensign of the company or trainband in the west society in the town of Fairfield.

This Assembly grants a rate or tax of one penny on the pound on the polls and rateable estate of this Colony, according to the list brought in to this Assembly in October last with the additions, to be collected and paid into the treasury by the last day of December next in lawful money or bills of this Colony; and the Treasurer is hereby directed to send out his warrants accordingly.

Whereas this Assembly in the session at New Haven in October last ordered that the Treasurer pay to the committee appointed by the county of Newhaven to carry on and compleat the building the new State House at New Haven, or their order, the sum of £907 9*s*. 0½*d*. in bills of credit of this Colony, for the balance of the one moiety or half part of the sum total of the cost expended in building and compleating said house, which order is endorsed by said committee to pay Mr. Enos Alling, who by his memorial to this Assembly sheweth he hath not been able to obtain payment, since which the Treasurer hath paid and indorsed on said order the sum of £200 16*s*. 0*d*.: And for payment of the residue, resolved by this Assembly, that his Honour the Governor be and he is hereby desired to draw a bill of exchange on Richard Jackson of London, Esqr, Agent for this Colony, for the sum of five hundred and thirty-seven pounds sterling, payable to the said Enos Alling of Newhaven or his order, in full discharge of the said order of this Assembly.

Upon the report of the committee respecting the difficulties subsisting among the Mohegan Indians, this Assembly do appoint Jonathan Trumble and Jabez Huntington, Esqrs, together with the overseers of said Indians, a committee to repair to

Mohegan, or some place near thereto, as soon as may be, and convene said Indians, or so many of them as they may think proper, before them, and make due enquiry into the matters of complaint and grievance, and endeavour to reconcile the contending parties or persons, and also proceed thereon as the exigency of the case may require, and thereof make report to the General Assembly at their sessions in October next.

Whereas this Assembly are informed that by the order of the superior court of this Colony, pursuant to the conviction of Abel Buel of Killingworth for altering sundry of the bills of credit of this Colony, the estate of said Abel was seized as forfeited for the use of this government, but no person is appointed to dispose of the same, and that sundry other such altered bills are since found to have been done and uttered by said Abel before his said conviction and are now in the hands of sundry persons who paid a consideration for the same equal to the sum in said bills not knowing the same to be altered &c.: Thereupon this Assembly do appoint and impower Mathew Griswold, Esq^{r}, to make sale by public vendue of such of the real and personal estate that belonged to the said Abel and forfeited as aforesaid by the conviction aforesaid, giving public notice of the time and place of sale, and out of the avails thereof first pay the cost of said Buel's prosecution and then to pay the possessors of such altered bills the sums therein mentioned, in such instances only wherever it appears said bills were altered by said Buel before his said conviction and that such possessor paid a consideration equal to the sum in such bills not knowing the same to be altered; and that after deducting the charges of sale he pay the residue of said avails to the Treasurer of this Colony and take his receipt for the same accordingly.

Upon the representation made to this Assembly by Increase Moseley, Bushnel Bostwick and Isaac Baldwin, Esq^{rs}, of the probability of their being able to obtain a more full and compleat account of the affairs of the Ousatunnock Lottery than the account they have already taken, which full and compleat account they may most probably be able to return to this Assembly in their next sessions: It is thereupon resolved by this Assembly, that the said Increase Moseley, Bushnel Bostwick and Isaac Baldwin, Esq^{rs}, be further appointed and impowered to inquire into the affairs of said lottery, agreeable to the powers and appointments formerly made by this Assembly, and to report their doings to this Assembly at their sessions in October next.

[135] An Act in Addition to an Act entituled An Act in Addition to and Explanation of the Law of this Colony entituled An Act for directing Listers in their Office and Duty, and also of the Law entituled An Act for paying of Rates and Taxes.

Whereas in pursuance of different constructions of said acts, very different practices have obtained in granting bills of abatement in the several towns in this Colony, whereby much inequality and injustice hath been and hereafter may be occasioned: Which to remedy and prevent,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the several towns in this Colony shall be chargeable and responsible for the full amount of the Colony rates or taxes that may at any time be granted by this Assembly, in proportion to the sum total of the respective lists of said towns, as the same shall be annually made and returned according to law; except such legal abatements made as hereinafter is provided: And that the Treasurer of this Colony shall not accept or allow any bills of abatement for any part of such rates, save only where any persons shall be found (according to the true intent and meaning of said acts) to have been really overcharged or wrong charged on their lists; or unless any persons charged in said lists is deceased, or shall have absconded and departed out of this Colony before the time limited for the payment of such rate to the Treasurer, and hath not left any estate whereon the same may be levied: And in every bill of abatement made in either of the cases aforesaid shall be certified the reasons for such abatement, by the persons who have right by law to make the same, or by an Assistant or justice of the peace.

And be it further enacted by the authority aforesaid, That the selectmen of the several towns in this Colony, or the major part of them, with the advice of an Assistant or justice of the peace, shall have power, and they are hereby impowered, to abate the rates of such persons in their respective towns as are poor and unable to pay the same. And when any person shall by any collector of the Colony rate be committed to goal for the non-payment of such rate, and (being thereto admitted) shall have lawfully administered to him the oath by law appointed for the relief of poor prisoners, the town to which such poor persons whose rates are so abated, or to whom such oath is administered, do belong shall be chargeable with the sums at which such persons were charged in such Colony rates, and also with all the cost and charges occasioned by such commitment; and the selectmen shall order the same to be paid to such collector out of the treasury of such town. And for want of a sufficient supply of money in said town treasury to

pay the same, the said selectmen are hereby impowered to make and levy a tax on the inhabitants of such town, suffi- [136] cient || to raise such sums as shall be needful for that purpose together with the charges of collecting the same. And in case the rates so abated are not paid to said collector of the Colony tax within thirty days next after the time limited for the payment of such rate to the Colony Treasurer, such collector shall certify the same to the Treasurer of this Colony, who shall thereupon issue an execution in due form of law to levy the same out of the money, goods or estate of such selectmen.

An Act for reviving an Act of this Colony made and passed in May A. Dom. 1761, intituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in May last, that the aforesaid act should continue and be in force until the rising of this Assembly, and no longer,

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act entituled An act in further addition to the law entituled An act providing in case of sickness, be revived, and the same is hereby revived and shall continue and be in force until the rising of this Assembly in May next.

An Act for the Alteration of the Sums enacted to be paid for a Licence in and by an Act entituled An Act for regulating and licencing Pedlars, Hawkers and Petty-Chapmen.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the several judges of the county court in this Colony who shall grant licence to any pedlar, hawker or petty-chapman, instead of the sum of five pounds mentioned in said act shall take and receive for such licence the sum of twenty pound to and for the use of the Colony, and instead of four shillings the sum of eight shillings as a fee and reward: anything in said act to the contrary notwithstanding.

An Act for preventing Mischief by Dogs.

Whereas much damage has been occasioned in sundry parts of this Colony by dogs, and of late in divers towns in this Colony they appear to be attended with an uncommon disease indicating madness, by means whereof many people have already sustained much damage, and are greatly indangered and exposed to suffer much more, unless proper measures are taken to prevent the same:

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the authority and selectmen of the several

towns in this Colony, or the major part of them, or the major part of the selectmen in such several towns with the advice of one Assistant or justice of the peace, shall have full power and authority, and they are hereby authorized and impowered, to make all necessary rules, orders and regulations, whenever they shall judge the inhabitants of the Colony, their persons or properties shall be in danger, for the confining, restraining, killing or destroying of dogs belonging to or found within such respective towns, as they shall judge reasonable for the effectual security of such inhabitants: The same to be published and a notification thereof set up in writing in three of the [137] most public || places in such town wherein such order shall be made, and not less than one in each society therein.

And be it further enacted by the authority aforesaid, That when such orders or rules shall be so made and published as aforesaid, all persons shall accordingly conform thereto and obey such rules or orders, on pain that every person who shall offend against or not obey such rules or orders shall forfeit the sum of forty shillings, one half to him who shall prosecute the same to effect, and the other half to the treasurer of the town where said offence shall be committed; and that all such dogs as shall not be confined or restrained within such rules and orders made as aforesaid may be liable to be killed and destroyed by any person or persons whatever; and if any such persons shall be sued or prosecuted for the same, he may plead not guilty, and give this act in evidence, unless such person commencing and prosecuting any such action as aforesaid shall prove to the satisfaction of such court before whom any such trial may be had, that he had fully complied with such orders and rules as aforesaid.

Provided nevertheless, That nothing in this act shall be understood or construed, to restrain or prevent any person from killing or destroying any dog found mad or suspected to be mad; or otherwise shall be found doing mischief or attempting to do the same, when alone, out of the possessions of his owner and distant from the care and command of any person having the charge of such dog; anything in this act or any other act to the contrary notwithstanding.

An Act for preventing Fraud in Debtors and for securing the Effects of Insolvent Debtors for the Use of their Creditors and for the equitable Division of the Estates and Effects of such Debtors to and among their Creditors.

Whereas the estate or effects of insolvent debtors have been attached, and actions have been brought against such debtors, or against persons who have had the estate or effects of absconding or concealed debtors in their hands as trustees of such debtors; which estate and effects have been held by the

creditor or creditors, at whose suit they were attached, against the other creditors; by means whereof great inequality and injustice has been occasioned and law suits [have been] greatly multiplied: For the prevention whereof for the future,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future all attachments of any estate, real, personal, or mixed, of any debtor that shall be made at the suit of any one or more of his creditors shall hold such estate against the debtor and his assigns only, but not against any other of the creditors of such debtors. And all attachments [that have or shall be so made, and all summons and attachments]* which shall hereafter be served upon any trustee of any absent, absconding or concealed debtor by virtue of a law of this Colony entituled An act for the recovery of debts out of the estate or effects of absent or absconding debtors, shall enure to the use and benefit of all the creditors of such debtor or debtors, in just proportion to the debts to them respectively due: Provided such debtor shall appear to be insolvent and unable to pay all his just debts, and shall be proceeded with as an insolvent debtor agreeable to the provision hereafter in this act made, and before execution is levied on such estate.

[138] *And be it further enacted,* That it shall and may be lawful for any one of the judges of the superior court, or the judge of the county court in the county wherein such debtor dwells within this Colony, upon application made in writing and also proof of the debt or debts being made on oath by any creditor for not less than twenty pounds, or creditors for not less than forty pounds, of any person or persons who heretofore have been or hereafter shall be arrested at the suit of any creditor or creditors and thereon confined in goal, or who shall appear to the satisfaction of such judge to have absconded or concealed themselves to avoid the arrests of their creditors, to issue a warrant directed to all and every the sheriffs, [their undersheriffs] and deputies, and the constables of the several towns within this Colony, requiring them in his Majesties name, to attach, seize and keep all the goods, chattels and estate, real, personal and mixt, of what nature or kind soever, within their respective precincts, of such imprisoned or absconding debtor or debtors, for the use and benefit of his or their creditors. And any part of such estate which may be taken in pursuance of such a warrant and which shall be of a perishable nature

*The words within brackets in this act are omitted from the record, but found in the original bill and in the act as printed at the time.

and shall be proved to be actually in a perishing state before the judge from whom such warrant shall issue, shall and may be forthwith sold by the officer taking the same for the most the same will fetch. And notice shall be forthwith given by such judge in one or more of the public news-papers in this Colony, published next after the issuing such warrant, or as soon as may be, and for three weeks successively, that the effects of such imprisoned or absconding and concealed debtor or debtors are directed to be attached, seized and taken, and that unless such debtor or debtors shall discharge his or their just debts, or give security therefor, within three months from the date of such warrant, to the satisfaction of the creditors, for the payment thereof, all the estate ordered to be so attached, seized and taken, will be sold for the benefit of the creditors.

And be it further enacted, That every person whose effects shall be directed to be so attached, seized and taken, be and is hereby declared to have been from and after their imprisonment, absconding or concealing themselves, as aforesaid, incapable of alienating any part of their effects or estate of what nature or kind soever, unless for the necessary support of himself while imprisoned: and all other assignments, transfers, conveyances or alienations afterwards made by such person or persons, except the same be made for the payment of all his just debts or securing and satisfying of all his creditors in just proportion, are hereby declared to be null and void, unless it shall appear that such assignment, transfer or alienation was *bona fide* made before any estate of such debtor was attached and before publick notice was given of the granting such warrant, and that the purchaser was not privy to the absconding or concealment of such debtor. Provided also, that no assignments, transfers, conveyances or alienations, *bona fide* made before the passing this act, shall be understood to be affected hereby.

[139] *And be it further enacted*, That if any imprisoned, absconding or concealed debtor or debtors, whose effects or estate shall be directed to be attached, seized and taken, as aforesaid, shall not, before the expiration of three months as aforesaid, discharge their just debts or give security for the discharge thereof to the satisfaction of their creditors, it shall and may be lawful for the judge who shall have issued such warrant, to appoint three of the creditors of such debtor or debtors to be trustees of his or their estate.

Provided always, and it is accordingly enacted, That if any such debtor or debtors shall by writing under his or their

hands signify to the judge issuing the warrant aforesaid, his or their willingness to surrender up all his or their effects, and shall desire that trustees may be forthwith appointed, it shall be lawful for such judge forthwith to appoint the same, and the advertisement to surrender shall be thereupon discontinued.

And be it further enacted, That if such debtor, or any other insolvent debtor or debtors who have not so absconded or been imprisoned, are willing to disclose and deliver up his or their estate for the benefit of his, her or their creditors, he or they may, in conjunction with the major part in number and value of his, her or their creditors, exhibit a petition to any two of the judges of the superior court, or to the judge of the county court and one justice of the quorum in the county where such debtor dwells, together with an account in writing of all the sums owing by such debtor, and of the persons to whom, and also a true and compleat inventory of all such debtor's estate, real, personal and mixt, in law and equity, and [all accounts, books, vouchers and securities relating thereto,] praying for the relief provided in this act; thereupon the said judges are hereby impowered to administer to such debtor or debtors an oath to the effect following:

You A. B. do [solemnly] swear by the everliving God, that the petition by you presented doth contain a just and true account of all the monies owing by you, of the persons to whom, and of all your estate, real or personal, both in law and equity, either in possession, reversion or remainder, to the best of your knowledge and remembrance; and if any hereafter come to your knowledge you will as soon as may be cause the same to be added; and that you have not directly or indirectly sold, conveyed, made over, or otherways disposed of, either in trust for yourself or otherwise than is mentioned in the same account, any part of your lands, goods, estate, stock, money, debts, or other real and personal estate, whereby to have or receive any benefit, or with any view or design to deceive, injure or defraud your creditors: So help you God.

Which oath being taken by the debtor, notice shall be given by the petitioners to all the creditors of such debtor, by advertising the same in one or more of the public news-papers in this Colony, to shew cause, if any they have, by such a day as shall be appointed by said judges, why an assignment of such debtor's estate should not be made and the person of the debtor discharged. At which day, if no sufficient cause to the contrary appear, the said judges shall direct a legal grant or

assignment of all such debtor's estate, both in law and equity, to be made by such debtor to the person or persons, being creditors, that may be appointed by such judges to be trustees to receive the same for the only use and benefit of the creditors.

[140] *And be it further enacted*, That the trustees so appointed [shall,] as soon as may be notify, in one or more of the public news-papers which may most effectually communicate such notice, three weeks successively, the time and place for a meeting of the creditors of such debtors: such meeting to be held within one month from the date of such notification. And it shall and may be lawful for the major part in number and value of the creditors present at such meeting, to approve or disapprove of all or any of [the] trustees so appointed, and to choose others in the room of such as may be disapproved, who shall be vested with all the rights, powers and authority of such former trustees. And the trustees who shall be so appointed or chosen at this meeting shall be sworn before an Assistant or justice of the peace to well and faithfully manage the estate of such debtor or debtors as shall come to their hands; and shall for that purpose keep regular books of account of their receipts and disbursements of such debtor or debtor's estate, to which such debtor and every creditor at all seasonable times may have recourse: And the power of the trustees first appointed and disapproved shall then determine and cease, and the creditors may thereupon give into the trustees their respective claims and demands then due and payable, or which may become due at a future day, upon or against the debtors. And upon such debtor's producing to said judges a certificate under the hands and seals of the trustees, executed in presence of two witnesses, that he or she has legally granted, conveyed, assigned and delivered up, for the use of the creditors, all his or her estate, real or personal, both in law and equity, and all the books, vouchers and securities relating to the same, they shall discharge such debtor, if in prison, from his imprisonment.

And be it further enacted, That the person of such debtor giving up his or her estate as aforesaid, and conforming in all things as in and by this act is directed, shall not for the future ever be liable to any arrest or imprisonment, either on mean process or execution, for any debt due or contracted by him or her before the assignment of his or her estate as aforesaid. Provided nevertheless, that the future estate, real or personal, of such debtor, which may thereafter be had,

acquired, gotten, or descended, (excepting such necessary articles as shall be allowed him agreeable to this act,) shall be liable to and answerable for the remainder of said debts to all intents and purposes as though such debtor or debtors had not been discharged as aforesaid. And pending such petition the bodies of such debtors shall be free from any arrests, as also pending any examination before the trustees from time to time as may be necessary.

And be it further enacted, That the trustees so appointed and sworn shall be and are hereby authorized and impowered, to receive from the sheriffs, under-sheriffs or deputies, and constables, and from all other persons whatsoever, all the effects and estate of every kind of such debtor or debtors, and also all their books of accounts and all papers necessary for discovering [141] the state of the business and || dealings of such debtor or debtors, and also to settle and adjust all matters and accounts unsettled, between such debtor or debtors and any of their debtors, and in their own names to commence and prosecute to final judgment and execution any action or actions in the law for the recovery of any debts, effects or estate whatsoever, of such debtor or debtors, as fully to all intents and purposes as he or they might have done if this act had not been made and passed: And with the consent of the major part of the creditors in number and value present at any meeting duly notified, to submit to arbitration any matters in dispute between such [debtor or] debtors and any one of his or their supposed debtors, and with the like consent to compromise or make abatement upon any claim or supposed debt.

And be it further enacted, That all the goods, chattels and lands of such debtor, before any disposition thereof be made, shall be appraised by two or three sufficient freeholders mutually chosen by the trustees and such debtor, or appointed by said judges, who shall be sworn to appraise the same at the just value thereof in money; and a true and perfect inventory thereof shall be made, under the hands of the said appraisers, and also of the said trustees, and exhibited to said judges; and such debtor shall be allowed for such estate by the creditors toward the payment of his debts due to them the price set in said inventory.

And be it further enacted, That before any disposition of such debtor's estate be made, such debtor shall be allowed out of the same such necessary wearing apparel and bedding for himself, wife and children, and tools, arms, and other implements of his household necessary for the upholding of

life, as such debtor and the major part in number and value of the creditors shall agree to, or the judges to whom the petition is presented shall think reasonable and order. And [that] all the remainder of such debtor's estate may be converted into money as soon as may be, for the use and benefit of the creditors, where the major part in number and value of the creditors do not agree to apportion and divide the same or any part thereof among themselves, which they are hereby enabled to do, the said trustees are hereby authorized and impowered to make sale of every part thereof, and also to grant, bargain, sell and convey to any person or persons whomsoever, any lands, tenements or hereditaments whereof such debtor or debtors are or shall be seized in possession, reversion or remainder, as of an estate in fee simple or an estate for life or years, and to execute good and sufficient deeds therefor.

And be it further enacted, That it shall and may be lawful for an Assistant or justice of [thé] peace, upon application made to him for that purpose by the trustees, to convene before him the wife or any one of the family of any such debtor or debtors, or any other person or persons suspected of concealing or embezeling any part of such debtor's effects, or of being privy or knowing to any concealment or embezel-
[142] ment thereof, or to any private trade or ‖ dealing of such debtor or debtors; and such Assistant or justice of peace (the said trustees and one or more of the creditors being present) shall examine such person so convened upon oath touching all matters respecting the effects or estate, the trade or dealing of such debtor or debtors, and shall take down such examination in writing and cause the person so examined to sign the same; and if any such person shall refuse to submit to an examination or to sign the same, such Assistant or justice is hereby impowered to commit such person to prison, there to remain until he or she shall comply or shall be discharged by the consent of the said trustees.

And be it further enacted, That it shall and may be lawful for the trustees aforesaid, in the execution of their trust, by warrant had from a justice of the peace directed to the sheriff, his under-sheriff or deputy, to cause to be broke open and entered the dwelling-houses, shops, warehouses, or other houses of any such insolvent, imprisoned, absconding or concealed debtor or debtors, and to cause to be opened any trunks or chests, or other close or locked places, where any part of their goods or estate shall be or be reputed to be. Provided always, that the body of such debtor, in their own

houses, shall not by or in consequence of the execution of such warrant be liable to any arrests of the creditors.

And be it further enacted, That the trustees aforesaid shall by advertisement in one or more of the public news-papers three weeks successively, seasonably notify another meeting of the creditors of such insolvent debtors, to be held at such time and place as they shall appoint, not exceeding six months from and after the first meeting aforesaid; at which meeting any creditors who have not given in their claims before may then exhibit the same. And the said trustees are also impowered from time to time to call other meetings of the creditors in like manner, or to continue any meetings with the consent of the major part in number and value of the creditors present, by adjournments, as there may be special occasion therefor.

And be it further enacted, That the said trustees shall within a reasonable space of time, not exceeding twelve months after their appointment, proceed to make a division of all the money that shall come to their hands out of the estate of such debtor or debtors, first giving sufficient notice of the time and place of making such dividend, by advertising the same in one or more of the public news-papers, and in like manner and upon like notice make a second dividend of what money may come to their hands, or be recovered and received by them after the first division, if the whole estate shall not be settled at that time; and so from time to time, until a final settlement thereof and a full, just and equitable division be made of the whole of such estate. And in case of any controversy relating to any debt or sum of money [143] due to any creditor, || the same shall be settled by arbitrators, not being creditors, and mutually chosen by the trustees and the creditor or creditors with whom such dispute doth arise, who shall finally settle such controversy and ascertain the sum due to such creditor. And in case any creditor, upon such controversy arising, shall refuse to join in the nomination and appointment of arbitrators, the trustees are hereby impowered to nominate and appoint them.

And be it further enacted, That the powers by this act given to trustees shall and may be executed by any two of them, and shall be construed and understood in all cases accordingly. And any person being of the people called Quakers may and shall be allowed, when any oath is required by this act, to make solemn affirmation instead thereof.

And be it further enacted, That if any creditor of such insolvent debtor or debtors shall neglect or refuse to give notice

of and prove his debt before the first dividend be made, such creditor shall be ever after debarred from receiving his debt of such trustees, unless the whole of the estate shall not have been received and divided, and unless such creditor shall, before the second dividend be made, prove his debt; and in such case such creditor shall, before the second dividend be made, have the sum he would have been intituled to on the first dividend, or so much thereof as shall be in the hands of the trustees; and if more than one creditor shall have so neglected, and there shall not be enough in the hands of the trustees to pay to all of them the full of their dividend, each shall be paid in proportion.

Provided always, and be it further enacted, That before any dividend be made of such debtor's estate, all and every sum and sums of money which are and shall be due and owing from such debtor or debtors to this government shall be fully paid by the trustees out of such estate, and also all such cost, charges and expences as shall be necessarily laid out and expended by the said trustees, together with a reasonable allowance for their trouble and care therein, the same being first allowed and taxed by the judges who have had cognizance of the proceedings in such case; and also such sum as three fourth parts in number and value of the creditors shall agree to allow to the debtor or debtors who shall have appeared and surrendered up their effects and taken the oath required by this act, not exceeding in any case five *per cent.* on the whole estate: and the overplus of such debtor's estate and effects, after deducting the debts, charges and allowances aforesaid, shall be divided and distributed to and among the creditors of such debtor, in proportion to the debts to them respectively due, in which distribution and division no preference shall be given to debts due by specialty, or on any judgment entered against such debtor.

And be it further enacted, That if any person shall be convicted of wilfully affirming or swearing falsely in any case where an affirmation or oath is required or allowed by this act, the person so offending shall suffer as in case of wilful perjury. And in case any debtor, who shall take the oath required by this act and shall thereupon be admitted to take the benefit of being freed and exempted from arrests and im-
[144] prisonment thereby, shall || be convicted of concealing any part of his estate or effects, or any books, securities or papers relating thereto, with an intent to defraud his creditors, he shall suffer as in case of wilful perjury, and also from and after such conviction his body shall be liable to be

arrested and imprisoned at the suit of [his] creditors, or any of them, for any of the debts by him contracted before the assignment of his estate; anything in this act to the contrary notwithstanding.

Be it further provided and enacted, That in case it should so happen that the estate of any such debtor or debtors, according to the appraisment thereof in the inventory made as aforesaid, shall surpass the amount of his or their debts and the cost and charges attending the assignment and distribution of such estate and the proceedings thereon in pursuance of this act, that then all the overplus of said estate shall by the said trustees be returned, delivered back or reconveyed to such debtor or debtors, or his or their heirs, executors and administrators. That this act shall continue [and be in force for the term of two years from the rising of this Assembly, and no longer: Provided notwithstanding, that the same shall continue] and be in full force as to the powers and authorities in all cases that shall be begun within said two years, until a full and final settlement and division shall be made, according to the true intent and meaning of this act.

This Assembly being informed that Jonathan Atwater, late constable and collector of the Colony tax in the town of New Haven, fell greatly short in his payment of said tax into the treasury of this Colony, and to secure the payment of the arrearage of said tax he, the said Atwater, in his life-time made and executed a deed of his dwelling-house and land in said New Haven to the Governor and Company of this Colony, and there being no person appointed by this Assembly to make sale and give and execute a deed thereof in behalf of the said Governor and Company to any person that may purchase the same: Resolved by this Assembly, that Benjamin Hall, Esq^{r}, and Mr. Joshua Chandler of New Haven be and hereby are fully impowered, to make sale of said house and land for the most the same will fetch, and to make and execute a good deed in the name and on the behalf of the Governor and Company of this Colony to the person or persons that shall purchase the same: and they are hereby impowered to receive the money said house and land may fetch, and pay the same into the treasury of this Colony. And the Treasurer is hereby ordered and directed, on the receipt of said money, to give credit for so much as the same shall amount to; and [in] case house and land shall sell for more than is due to this Colony for the payment of said taxes, the overplus shall be returned to the heirs of said Atwater.

Whereas it hath been certified to this Assembly by the

listers of the town of Pomfret for the year 1763, that through [145] mistake they undercast the list of || said town for the year aforesaid the sum of £742; and also it hath been certified by the listers of the town of Plainfield for the year 1763, that the additions on the list for the said town of Plainfield for this said year have not been returned, which additions amount to the sum of £202 9 0: It is thereupon resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed, to issue out his warrants to the collection of the Colony rate in said town of Pomfret, to collect of the inhabitants of said town of Pomfret so much as arises on said sum of £742, in their lists of estate for the year aforesaid, and to the collector of the town of Plainfield to collect of the inhabitants of the said town of Plainfield so much as arises on said sum of £202 9 0, in their lists of estate for the year aforesaid, in addition to the sums which the said collectors of said towns are already by the Treasurer's warrant impowered to collect; and the said collectors are accordingly hereby ordered to conform themselves to such warrants as the Treasurer may prove fit in pursuance of this resolve.

This Assembly do appoint Mr. Uriah Seymour to be Surveyor of Lands in and for the county of Litchfield.

On the memorial of Daniel Benedict junr, and other inhabitants of the first society in Danbury, representing the divided circumstances of said society and praying as per memorial on file: Resolved, that it be and it is hereby recommended to the memorialists and the rest of said society, with forbearance, condescention and charity, to unite and mutually agree in the choice of a council to be convened sometime before the sitting of this Assembly in October next, to hear the parties, heal their differences and divisions, and restore peace, harmony and union among the inhabitants of said society; that in the meantime and during such propos'd procedure, no distress or lawsuits be made and prosecuted against the memorialists for any society rate or other matters relative to their divisions and contentions.

On the memorial of Tom Shermon and his wife Eunice Shoron, and Sarah Shoron, Indian natives of Poquonuck in the town of Stratford, preferred to this Assembly in October, 1763, representing that they, together with many other Indians long since dead or dispersed into other places, were lawfully seized of about eighty acres of land at a place commonly called Golden Hill, in said Poquonuck; that they for many years enjoyed the same till some few years past, when said lands were all except about six acres thereof taken from

them, and they thereof unjustly disseized by Gamaliel French and sundry others, and that in August, 1763, one Richard Hall had also unjustly entered and disseized them of said remaining six acres, to their grievous wrong and injury; thereupon praying relief &c.: Benjamin Hall, Jabez Hamblin and Robert Treat, Esq^{rs}, were appointed to repair to said Poquonuck, and to hear and examine into said matters, and thereof make report &c.; which report being accordingly made to this Assembly in May, 1764, come to this time by sundry con-
[146] tinuances: And now, on consideration thereof had, ‖ this Assembly do not approve the same, and do thereupon further resolve and order, that Jabez Hamlin, Elisha Sheldon and Robert Treat, Esq^{rs}, be and they are hereby appointed a committee with full power and authority, to examine into and discover said matters of grievance; and of what they find, with their opinion of what may best be done to relieve the same, to make report to this Assembly as soon as with convenience may be. And that, in order thereto, said committee by the easiest and most effectual means find out who and where are the claimants of said lands in their several dispositions and them notify of time and place to be by them appointed for said business, as also that such claimer or pretended claimer must be prepared in some satisfactory manner to shew their right to their said lands; that they summon in all parties, persons and witnesses, on reasonable request, and them hear and examine touching the premises on oath or otherwise, and by all probable and reasonable measures to discover and find out the truth and right of the matter, and as well to make as to hear all probable and practicable proposals for quieting said controversy, either by some equivalent or compensation in whole or in part by other lands or otherwise.

Upon the memorial of Timothy Rose and others, shewing that upon representation made to this Assembly in October, 1762, that a highway might be made without great cost from the court-house in New Haven through the society of Oxford to the meeting-house in the society of Southbury in the town of Woodbury, which would be shorter and much better than the road now used by Darby neck; this Assembly appointed Benjamin Stiles, Stephen Upson jun^{r}, and Roger Sherman a committee, to view and mark out the best place for such highway and report to this Assembly their opinion of the necessity and convenience thereof, which committee made their report to this Assembly in May, 1763, that they were of opinion that a good road might be made from said

court-house to said meeting-house with but little cost and charge, which will be much better than the road now used by Darby, and about three miles shorter, allowing the same to go by Darby upper bridge &c., and that the same would be of common conveniency and advantage, which report was not then accepted ; praying that the same may now be accepted and approved by this Assembly, with some alteration, and that a committee may be appointed to lay out said highway &c., as by their memorial on file : Resolved by this Assembly, that John Fowler, Messrs. Stephen Upson jun^{r} and Joseph Hall jun^{r} be and they are hereby appointed a committee to lay out said highway, and they are hereby directed particularly to mark out and bound the same by some notable and durable monuments in all those places where it is needful to alter or vary from the highways already laid out, and [147] that said committee lay out the same ‖ where they shall judge most convenient for the publick and least prejudicial to any particular persons, and as near as may be with conveniency agreeable to the following description *viz:* From said court-house in the highways already laid out and used to Joshua Speary's dwelling-house ; from thence in the most convenient place to the top of the great hill, so called, in New Haven ; then in the road leading to Waterbury to Isaac Ford's dwelling-house ; from thence in the best and most convenient place to the highway on the south side of Bladens Brook, near where the same crosses the west line of New Haven township ; from thence in the roads already laid out and used by said Bladens Brook and over the said upper bridge in Darby, and by the meeting-house in said Oxford to Nathan Buckingham's dwelling-house, which is within the bounds of the town of Darby; then turning on the north side of said Buckingham's house west 26 degrees north on said Buckingham's land 46 rods ; then north 40 degrees west 172 rods ; then north 43 degrees west 86 rods to Woodbury line southward of Joseph Towner's dwelling-house to an old highway; then in or near said old highway to John Towner's dwelling-house ; then leaving said old highway northward of said John Towner house and running west six degrees north 84 rods ; then west 31 degrees north 100 rods ; then north 36 degrees west 54 rods to an old highway near Ebenezer Brownson's dwelling-house in said old highway ; from thence by Charles Strong's dwelling-house into the country road leading to said Southbury meeting-house from Darby.

And it is further enacted and resolved by this Assembly, That the respective towns within whose bounds said high-

way is to be laid out shall pay the charges of laying out the same and all the damages which any particular persons shall sustain in their lands or property thereby as the selectmen of said towns and the parties interested may agree, or otherwise as the same shall be apprized by said committee; and that said committee make return of their doings in the premises to this Assembly in October next.

Upon the report of John Chester, Elisha Williams and James Wadsworth junr, Esqrs, a committee appointed by this Assembly on the memorial of the selectmen of Midletown in Hartford county, Moses Bush, Jeremiah Goodrich, David Sage, Nathaniel White, Daniel Shepard, and others of the third society in Midletown, and by Samuel Ashpo, an Indian, for himself, and agent for sundry Indians, proprietors of land in Midletown at a place called Wongunk, shewing to this Assembly that the town of Midletown, in the year 1675, granted and recorded to twelve Indians, to them and their heirs forever, three hundred acres of land at or near a place called Wongonk, which said land is situate near the center of said society, and the meeting-house being placed about the middle of said land, and the land so situate is a great disadvantage to the settlement of said society, and that the present owners and claimers to said land, men, women and children, were but about forty in number, and they had dispersed themselves and lived in diverse places all of them, except one squaw and two or three children that lived on said land, and one old blind squaw, the widow of Cushoy a late sachem, and she not being able to help herself is supported by said selectmen, and that said Indians many of them are civilized and christianized, and are settled in other places, and have leased out some of the land, and some encroachments made on it &c.: Said report being read, on which it appeared to this Assembly that the said three hundred acres granted as aforesaid has part of it, about seventy acres, been formerly bargained and sold with the liberty of the town of Midletown by the Indians for the settlement of a minister and building place for a meeting-house, and highways that are needful to accommodate travellers, and that the Indians had sold and conveyed several small pieces of land, and that what remains is now about two hundred acres, and what has been by them sold there has no disputes arisen about the sale thereof, and the number of those that at present claim to have a right in said land is about thirty, and the Indians have bought and sold to one another and given deeds well acknowledged by the civil authority, and that the selectmen have already for

the support of said blind squaw expended twenty-one pounds fifteen shillings and tenpence half-penny, and that one Tom–Cushoy, deceased, who was an agent and proprietor of said [148] land, was justly indebted ‖ to Doctor Aaron Roberts, who took care of and did for him in his last sickness, to the sum of five pounds two shillings, and that this Assembly had apparted to an Indian called Dick Ranney ten acres of said land; and the said committee were of the opinion that it would be most for the benefit of said society and for the interest of the Indians that said remaining part should be sold by a committee appointed by this Assembly to ascertain the proportion each one ought to have, and that the avails of said land should be laid out for the benefit of said Indians claiming to be owñers thereof, (the debt due to the town of Midletown and the said Roberts being first paid,) in equal shares or proportions, in such way and manner as said committee shall judge most for advantage and most agreeable to those of them who are in some degree able to judge for themselves, unless it should be thought that some part thereof be held in the hands of said committee until it be known whether any other owner or owners should hereafter appear and make out his or their claim; and some of the chief of said Indians with divers others appeared before this Assembly, and by a writing under their hands praying that said report may be accepted and a decree thereon made, as may appear: Whereupon this Assembly accept and approve of said report, and thereupon by the desire of said Indians it is ordered and decreed, that the abovenamed John Chester, Elisha Williams and James Wadsworth jun^{r}, with William Welles, Esq^{r}, be and they hereby are appointed a committee with full power, to hear, examine and determine who are the rightful heirs of said remaining land, and how and to whom, and in what proportion, it ought to be disposed of after the aforesaid debts are paid out of the avails of said land, and to join with and assist the owners of said land in disposing thereof, either in part or whole for other lands, as said committee shall see fit; and to save for the use of such of them as incline to live on said land a sufficient quantity thereof for that purpose, and set and sequester the same to them accordingly, and in all respects do what shall appear to be just and right with regard to said Indians and every of them, according to their best skill and judgment in the premises.

Upon the petition of Henderson Inches, of Boston in the Province of the Massachusets Bay, representing that he brought his action against Freegrace Adams, of Suffield in

the county of Hartford, to the county court held at Hartford in said county (by writ of partition) on the first Tuesday of November, 1759, declaring that he together with the defendant as tenant in common did hold a certain tract of land in said Suffield containing in quantity sixty acres &c., demanding partition thereof, *viz:* the one moiety to be apparted to the plaintiff, the other moiety to the defendant in severalty, &c., which afterwards, per review, appeal &c., came to the superior court held at said Hartford on the first Tuesday of September, 1760, when and where the said parties joined in issue whether or no the plaintiff and defendant did hold the said land in manner and proportion as set forth in the declaration; that at said tryal, to evince that said parties did hold said land in such manner and proportion &c., and especially that the petitioner had derived a title to the one half of said sixty acres from the said Freegrace, (which was the only dispute in the case at said tryal,) the plaintiff produced and exhibited in evidence thereof a certain deed of bargain and sale well executed by one Abraham Adams and the said Freegrace, dated February 20th, 1756, in and by which for the consideration of one hundred and seventy-three pounds, lawful money, they had sold and granted unto the petitioner the one half of said land in common &c.; that the aforesaid deed was acknowledged only by the said Abraham, and that said Freegrace refused to acknowledge the same; that the jury in consideration thereof were of opinion that by said deed nothing was conveyed by said Freegrace to the petitioner, and [for] that reason only found that the plaintiff and defendant did not hold the land whereof partition was demanded in manner and proportion aforesaid, and returned their verdict accordingly, which was accepted by said court &c. and judgment thereon had; that said deed was made and executed for the security of a just debt of one hundred and seventy-three pounds, lawful money, and was made *bona fide*, and that the said defendant ought to be estopped to say anything against his own deed &c., and that it was his own fault only that he did not acknowledge said deed, and that the petitioner had not by any means forfeited his right to hold said land until said debt and interest was paid &c.; praying the enquiry and equitable interposition of this Assembly, &c.: Resolved by this Assembly, that John Chester, Esq^{r}, of Weathersfield, William Wolcott, Esq^{r}, of Windsor, and Samuel Talcott, Esq, of Hartford, be and they are hereby appointed a committee to enquire into all the matters referred to in said petition, by the oaths of the parties or otherways, and to make

their report of what they shall find in the premises to be just and right, to this Assembly in the present session or to the Assembly at the session in October next.

Upon the report of John Chester, William Wolcott and Samuel Talcott, Esq^rs, a committee appointed by this Assembly to enquire into the matters referred to in the petition of Henderson Inches of Boston, representing that he brought his action against Freegrace Adams, of Suffield in the county of Hartford, to the county court held at Hartford on the first Tuesday of November, 1759, demanding partition of a certain tract of land in said Suffield, in quantity sixty acres, *viz:* that the one moiety thereof should be apparted to the plaintiff and the other moiety to the defendant in severalty, &c., which by review, appeal &c., came afterwards to the [149] superior court held at said Hartford || on the first Tuesday of September, 1760, when and where the said parties joined in issue, whether or no the plaintiff and defendant did hold the said land in manner and proportion as set forth in the declaration; that at said tryal, to evince that the said parties did so hold said land, and especially that the plaintiff, *viz:* the petitioner, had derived a title to the one half of said sixty acres from the said Freegrace Adams the defendant, which was the only dispute in said cause, the petitioner produced and exhibited in evidence thereof a certain deed of bargain and sale well executed by one Abraham Adams and the said Freegrace Adams, dated the 20th day of February, 1756, in and by which for the consideration of one hundred and seventy-three pounds, lawful money, they had sold and conveyed unto the petitioner the one half of said land in common, &c.; that the aforesaid deed was acknowledged only by the said Abraham, and that the said Freegrace refused to acknowledge the same; that the jury in consideration thereof were of opinion that by said deed nothing was conveyed by the said Freegrace to the petitioner, and returned their verdict accordingly, which was accepted by said court and judgment thereon had; that said deed was made and executed for the securing a just debt of one hundred and seventy-three pounds, lawful money &c.: reporting that having heard the parties, their evidences &c., they find that the said Abraham and Freegrace were justly indebted to the petitioner in the sum of £173, lawful money, as mentioned in said deed, at the time of the date thereof, and the said Freegrace and Abraham then signed, sealed and delivered said deed for the securing of said sum and interest, and the petitioner accepted the same and gave up the other security he had for said debt

and interest, and that the said Abraham only acknowledged the said deed, and the [said] Freegrace refused to make such acknowledgement; that the petitioner had not ever been paid any part of said debt and interest, but had by such refusal lost his said security; and that it was their opinion that the said Freegrace ought to pay the one half of said sum of £173, and interest from the date of said deed &c.: It is therefore resolved and decreed by this Assembly, that the said Freegrace shall make, execute and acknowledge, and lodge with the Secretary for the use of the petitioner, a good and ample deed of conveyance (at or before the 28th day of June next,) of the one half in quantity and quality of his said land mentioned in the said petition, exclusive of the buildings thereon, (which were not intended to be included in said first deed;) and on failure thereof execution shall be awarded and issued in due form of law in favour of the said Henderson Inches, against the said Freegrace, for the one half of said debt and interest thereof as aforesaid, being in the whole £134 5*s*. 7*d*. lawful money.

Upon the report of Jabez Hamlin, Elisha Williams and William Welles, Esq[rs], a committee appointed by this Assembly at their sessions in October last, to examine and enquire into the cause and matters referred to in the petition of James Phelps of Windsor, *vs*. Joseph Remington jun[r], of Suffield, then and still depending, relative to the doings of certain arbitrators, who had awarded the petitioner to pay a large sum to the said Remington &c., and that on the first day of January, 1763, they found that Daniel Alderman of Symsbury did by his note under his hand promise to pay to the petitioner and petitionee jointly the sum of one hundred and fifty pounds, New York currency, as an indemnity to them for being bound for him, the said Daniel, which note was in the hands of the petitionee and witheld from the petitioner; and that they also found that at the same time the petitioner promised to give the petitionee a legal and ample deed of the one half of a certain farm of the said Alderman's within fifteeen days from said first of January; that an action had been commenced on said promise, and being referred to said arbitrators by rule of court they awarded the petitioner to pay to said Remington for his failure to perform said promise the sum of £94 0*s*. 2*d*. lawful money, and cost, and that judgment had passed thereon and execution been granted and satisfied by the petitioner; that said arbitrators did not proceed by a just rule in awarding said sum, and that upon the whole matter it was their opin-

ion that in justice and equity the said Remington should now pay to the petitioner the sum of thirty-five pounds fourteen shillings and five pence, lawful money, and that both the petitioner and petitionee have equal right to the note given by the said Alderman as abovementioned: Whereupon it is resolved by this Assembly, that the said Joseph Remington shall pay unto the petitioner the sum of £34 14 5, and that execution in due form shall and may be granted for the levying the same by the Secretary. And it is further decreed and resolved, that the said Remington shall suffer and permit the said petitioner to have and take the benefit of the one half of said obligation by the [said] Alderman to them jointly executed as aforesaid. *Ex. granted June 5th*, 1765.

Upon the petition of James Richardson of Stonington, representing to this Assembly that he had a controversy with Benjamin Bancroft of Suffield, relating to their book-accounts, charter of the sloop Gull, as also some goods and merchandize said to be received by said petitioner to sell for said Bancroft at the Havanna in the year 1762, which controversy was referred to the arbitrament of Messrs. Jonathan Trumble, Ebenz. Backus and Joseph Chew, Esq[rs], who awarded said petitioner to pay said Bancroft the sum of £467 10*s*. 10*d*. lawful money; that a recovery is had in favour of said Bancroft against said petitioner for the sum of £493 13*s*. 10*d*.; that upon an execution granted on said judgment said petitioner is now held in prison &c.; further representing, that since the time of giving said award said petitioner has found new evidence &c. material to the matters submitted &c.; praying for relief &c., as per petition on file: Resolved by this Assembly, that John Chester, Jabez Hamlin, Esq[rs], and Mr. Jonathan Welles of Glastonbury be, and they are hereby, appointed a committee to enquire and examine into all the matters submitted to said arbitrators as aforesaid, and to [150] settle and adjust the same between said parties in equity, and make return of their doings to this Assembly at their sessions in October next; and that upon said petitioners giving bond with surety to the Treasurer of this Colony in the sum of six hundred pounds, lawful money, to be paid to said Treasurer upon condition said petitioner shall not render his body to be taken on any such execution as shall be granted on such decree as may be made by this Assembly on the return of said committee on the matters aforesaid, in case any such decree shall be made in favour of said Bancroft, that then upon executing said bond and leaving the same in the hands of the sheriff of the county of Hartford, the said

petitioner be discharged from his present imprisonment accordingly.

Whereas Nathan Curtiss, of Wallingford in the county of New Haven, brought his petition to this Assembly in October last, representing that his late father, Nathaniel Curtiss late of said Wallingford, deceased, by will gave him a piece of land at Chestnut Ground, so called, and another piece at Plainfield, and the remainder of his estate (besides some legacies) to Nathaniel Curtiss junr, and made them his executors; that said Nathaniel the elder in the latter part of his life failed in his reason and was put under the care of selectmen and afterwards of a conservator, and whilst under such circumstances said Nathaniel junr persuaded him to make deeds of gift of a considerable part of the estate then belonging to him unto the said Nathaniel junr; that said Nathan refusing to meddle as executor in said will, said Nathaniel junr proceeded to make an inventory of said deceased's estate and of the debts, whereby it appeared that the debts considerably exceeded the moveable estate; that said Nathaniel junr pretended to claim the estate so left to him as aforesaid by force of said deeds of gift and refused to put the same into the inventory of his father's estate, whereby said estate appeared to be insolvent, no land being put into said inventory except said land at Chestnut Ground so given to said Nathan; that said Nathan proceeded to sell said land at Chestnut Ground agreeable to the direction of the court of probate; praying that a committee might be appointed, &c.: And whereas upon agreement of the parties to said petition Roger Sherman of Newhaven, Esqr, and Messrs. Macock Ward and Titus Brocket, both of said Wallingford, were appointed a committee to examine and consider the matters and things stated and alledged in said petition, and enquire in what manner and by whom the debts due from said estate should be borne and paid &c., and report their opinion thereon; which committee have made report to this Assembly that some part of the debts ought to be paid out of the estate given to the petitioner in said will, and that the said land at Chestnut Ground, sold as aforesaid, surmounts the petitioner's proportion of said debts the sum of forty pounds; that it will be best that the purchasers hold said land at Chestnut Ground, and that the petitionee pay to the petitioner said sum of forty pounds, and that the petitioner ought to have and hold the other two pieces of land given by said will and the petitionee have the residue of the estate of said deceased and pay all the remainder of the debts due therefrom &c., as per said

report on file appears: Resolved by this Assembly, that the said report of said committee be and the same is hereby accepted and approved. And it is thereupon further decreed and enacted, that the said purchasers shall have and hold the said land at Chestnut Ground; that the petitioner shall hold the two other pieces of land given to him by said will, in the same manner as he might have done if said last deed of gift from said Nathaniel the elder to the petitionee had not been made; that the petitionee shall have and hold the residue of the estate of the said deceased and pay and satisfie all the remainder of the debts due from said estate, and also that he pay and satisfie to the petitioner the said sum of forty pounds, lawful money, and his cost, taxed at £22 1*s.* 10*d.* lawful money, and that execution issue accordingly. *Execution granted May 30th*, 1765.

Upon the petition of John Walker, of Hartford in the county of Hartford, one of the executors of the last will and testament of Doctor Normand Morison late of said Hartford, deceased, brought to the General Assembly holden at said Hartford on the second Thursday of May, 1764, against George Wilmot, of Albany in the Province of New York, therein representing that sometime in April, 1763, there being a controversie subsisting between the said executors and said Wilmot relating to the book-accounts of said deceased and said Wilmot, the same was by mutual agreement submitted to arbitration; that before the arbitrators in said case the said Wilmot produced an account containing a charge of large sums by him paid to Philip Livingstone of New York, and in evidence thereof exhibited certain receipts under the hand of said Livingstone and his clerks, acknowledging to have received the same of said deceased by the hands of said Wilmot, which sums were by him alledged and sworn to have been paid with his own monies, with which evidences the petitioner was surprized, said receipts having been in the hands of said deceased and by George Smith, one of his executors, delivered up to said Wilmot and by him produced as aforesaid, and said arbitrators being limited to a certain short period for delivering up their award did not, nor could, give the petitioner time to evince that said monies paid by said Wilmot, for which said receipts were given, were the proper monies of the said Normand and by him remitted to said Livingstone by the hands only of the said Wilmot, for want of which evidence said arbitrators allowed said sums in favour of said Wilmot, and [151] awarded in his ‖ favour the sum of £94 2*s.* 6*d.* lawful money, for which sum said Wilmot hath obtained a judgment

at law on the note given by the petitioner and said Smith &c.; praying for a committee &c., as per said petition more fully will appear &c.: And whereas on the petition aforesaid Messrs. Elisha Williams, Erastus Wolcott and Jonathan Welles were, by said Assembly in May aforesaid, appointed a committee with full power to examine into all the matters mentioned and referred to in said petition and make report of what they should find with their opinion &c.; and whereas said committee, after duly notifying and hearing said parties on said matters referred to, did make their report to said Assembly at their sessions at New Haven in October last, and found that said Wilmot at the time of the decease of said Doctor Morison was justly indebted to said Morison on the account of the sale of six negroes, and on an adjustment of their accounts the sum of one hundred and seventy-one pounds eleven shillings and four pence, lawful money of said Colony, and that said Wilmot never had any right or property in the money contained in the receipts of Philip Livingstone and his clerks, as mentioned in said petition, but that the same came into his hands and were allowed by said arbitrators in way and manner as complained of in said petition; and they were also of opinion that the doings of said arbitrators mentioned in said petition, and the judgment of court on the note therein specified, ought to be set aside and rendered null and void; and that the said John Walker, in his capacity as executor, ought to recover of said Wilmot the aforesaid sum of one hundred and seventy-one pounds eleven shillings and four pence and his costs &c.; the consideration of which report of said committee in October aforesaid was continued and referred to the session of this Assembly, and the same being now accepted and approved &c.: It is thereupon resolved by this Assembly, that the doings of said arbitrators and the judgment of court and execution had on the note given as aforesaid, with all the proceedings thereon, be set aside and become null and void, and the same is hereby made null and void; and that the said John Walker, in his said capacity, do and shall have and recover of him, the said George Wilmot, the said sum of £171 11*s.* 4*d.* and his costs, and that execution be granted by the Secretary accordingly. *Cost allowed is* £15 12 6, *lawful money. Ex. granted May 25th*, 1765.

Upon the petition of David Canada, of Windham, in Windham county, shewing that the proprietors of the common and undivided land in said town of Windham at their proprietors' meeting legally assembled the 28th day of May, A. D. 1750, appointed a committee to make sale of certain lands claimed

by said proprietors as common and undivided lands in said town situate westerly of the west tier of hundred-acre lots, between them and the last division of hundred-acre lots, which lyeth up and down Merricks Brook; that said committee so appointed, pursuant to the order and direction of said proprietors and in behalf of said proprietors, proceeded to make deeds of conveyance of said land, and on the 23d day of May, A. D. 1751, said committee executed a deed of that date to the petitioner, for a good and valuable consideration, of about fifty acres of said land, with proper covenants of warranty; that your petitioner entered upon said land, improved and built upon the same; that he hath since been evicted of said lands by due course of law and wholly lost the same with a large sum in damages and cost; that his only remedy in equity is against said proprietors who did impower and direct said committee and also approve and accept of their doings in the sale of said lands and receive the avails thereof; and praying that this Assembly would order and decree that said proprietors should pay said petitioner the value of said lands in said deed contained at the time he was evicted, and also the cost by him expended in defending his claim &c., as per petition on file: Resolved by this Assembly, and it is hereby ordered and decreed, that the proprietors of the common and undivided land in said town of Windham pay and satisfie unto the said David Canada the sum of eighty-seven pounds seventeen shillings and seven pence, lawful money, and that execution in due form go forth accordingly. *Cost allowed petitioner is* £5 1*s.* 10*d.* *Ex. granted May* 31*st*, 1765.

Whereas upon the memorial of John Spencer of Killingworth, exhibited to this Assembly at their sessions in May, 1764, shewing that said memorialist some years past purchased a dwelling-house in Killingworth and was at large expence in repairing the same, and agreed with Abel Buel of Killingworth for the exchange of the same for a small house and five acres of land in said Killingworth lying at a distance from the town street; that before the deed from said Buel to said memorialist was executed he, said Buel, was apprehended and is since convicted of altering bills of public credit of this Colony; that on account of said Buel's disability &c. said memorialist is liable to be great sufferer &c.; praying for relief &c.; whereupon Messrs. Nathaniel Hill, Benjamin Gale and John Murdock were appointed a committee, to repair to said Killingworth, examine into the matters referred to in said memorial, and report with their opinion thereon to said General Assembly at their sessions in October, 1764; which commit-

tee, having examined into the matters referred to in said memorial, reported that the contract referred to in said memorial was made without fraud &c., and that the said house and five acres of land was duly apprized and was of no greater value than the consideration said Buel had received for the same; which report was accepted accordingly, as per memorial and [152] report on file: || It is thereupon resolved by this Assembly, that the title said Buel had (at the time of his being apprehended as aforesaid) to said house and said five acres of land mentioned in said report be and the same is hereby established and confirmed to said memorialist, his heirs and assigns, to all intents and purposes, and that a copy of this resolve shall be received and admitted in evidence to prove the same accordingly.

Upon the petition of Ozias Goodwin, of Hartford in the county of Hartford, representing that on the first day of June, 1759, he with John Gilman of said Hartford, (since deceased,) borrowed of Peter Mallet of Stratford, (who is also since deceased,) four hundred pounds New York money, two hundred pounds whereof was received for the benefit of the petitioner, the other two hundred pounds for the sole use and benefit of the said John Gilman, and that the petitioner and said John agreed to be mutual securities and sureties one for the other, and accordingly gave their joint obligation to the said Mallet for said four hundred pounds and interest, dated the same first of June, 1759, and it was their agreement that each should pay their equal part of said obligation, and no more; that the petitioner had long since paid his equal half of the whole and hoped and expected that John Bidwell and Josiah Gilman, both of said Hartford, who are administrators on the estate of said John Gilman, deceased, would have paid and satisfied the other half of said obligation as was their duty to do, they having been advised thereof; that the executors of the said Peter Mallet had sued and recovered judgment against the petitioner on said obligation for the sum of £389 11*s.* 4*d.* New York money, and costs, and that execution thereon had issued and been levyed on the petitioner and he thereby committed to prison and had been held for more than a year &c.; and altho he has paid the whole into about fifty-eight pounds, lawful money, yet he could pay no more, having no further means or estate; and that all the calamity, restraint and trouble he was under had come by the neglect of the said John Gilman, his administrators &c. in not paying their half of said original debt &c.; praying for relief, and that the said John Bidwell and Josiah Gilman might be compelled to pay to the peti-

tioner the one half of said original debt and interest thereon to the time of said judgment, amounting to £246 0*s.* 0*d.* York money, and a further sum for the cost, trouble and imprisonment of the petitioner, which he suffered by the neglect of said administrators in not paying their part of said debt &c., or to appoint a committee to enquire &c.: Resolved by this Assembly, that John Chester, Zebulon West and Erastus Wolcott, Esq^rs, be and they are hereby appointed a committee to enquire and examine into the matters referred to in said petition, and to make report of what they shall find just and equitable in the premises either to this or the next sessions of the Assembly.

Upon the report of Jonathan Trumble, Benjamin Hall, Shubael Conant, Elisha Sheldon and Jabez Huntington, Esq^rs, a committee appointed by this Assembly on the petition of Ebenezer Mix of Hartford, *vs.* John Eliot, late of New Haven now of Spencer in the Province of the Massachusets Bay, complaining that said Eliot had over-reached and defrauded the petitioner in the purchase of certain lands of the said Eliot and his wife, and that in consideration of said purchase, which was made on the first day of July A. Dom. 1760, he, the petitioner, made and executed to the said Eliot three notes of hand, all of near that date, one for payment of four hundred twenty-six pounds thirteen shillings and four pence, lawful money, in one year then next, one other for the same sum in two years then next with interest after one year, also one other payable in three years for the same sum with interest after one year, and judgments having been by the said Eliot recovered against the said Mix on the several notes aforesaid &c., one of which notes having been by said Eliot sold and assigned to one John Flagg of said Spencer; and the said committee having been instructed to enquire into the whole conduct of the said parties &c.; and the said committee now reporting that after having heard the said parties and their disclosings under oath, relative to the matters aforesaid, they judge that both parties have been to blame, and that according to the common course of trading &c. said Eliot's conduct hath been such as doth justly intitle the petitioner to the consideration of one hundred and thirty pounds money &c., and that said Eliot discount the same on the judgments aforesaid, (exclusive of that obtained on the note sold to Flagg &c.:) which report is accepted and approved: And thereupon it is resolved and decreed by this Assembly, that the said Eliot shall discount and abate to the petitioner on one or other of the judgments recovered as aforesaid, (exclusive of that sold

to the said Flagg,) the aforesaid sum of one hundred and thirty pounds, lawful money, and that on his doing the same by some proper entry or endorsement made the executions on the judgments aforesaid be no longer stayed.

Upon the petition of Daniel Brainerd of East Hadham, shewing to this Assembly that at the superior court held by adjournment at Hartford within and for the county of Hartford on the last Tuesday of July, 1764, Thomas Williams of Albany, administrator on the estate of John Brown, deceased, obtained two judgments against said petitioner: one for the sum of one hundred and thirty pounds sixteen shillings and nine pence, lawful money, and cost taxed at eight pounds five shillings and eight pence, lawful money; and the other of said judgments for the sum of seventy-five pounds seventeen shillings and ten pence, lawful money, and cost taxed at eight pounds five shillings and ten pence, lawful money; that said petitioner also obtained judgment at the same court in his favour against the [153] estate of said deceased ‖ in the hands of said Williams for the sum of one hundred and fifty-seven pounds twelve shillings and six pence, lawful money, and cost taxed at ten pounds nineteen shillings and six pence, lawful money, and that executions were issued on all said judgments and put into the proper officers hands to collect the sums due thereon; that the said execution in favour of said petitioner is returned endorsed *non est inventus*, &c.; that said Williams refuses to discount &c.; praying for relief &c.; as per petition on file: Resolved by this Assembly, that the said judgments and executions be and the same are hereby accordingly discounted as prayed for; and to effectuate such discount it is further resolved, that the aforesaid execution of said judgment in favour of said Williams for the sum of £130 16*s*. 9*d*. and £8 5*s*. 8*d*. cost shall be and remain in the files of the clerk of the superior court and not renewed nor any *alias* execution be granted on said judgment upon which it issued, for any part of said sum; and that an *alias* execution shall not be granted on said other judgment in favour of said Williams for said sum of £75 12*s*. 6*d*. debt and £8 5*s*. 8*d*. cost, for any more than the sum of fifty-four pounds thirteen shillings and eleven pence, lawful money, but for that sum only; and that no *alias* execution shall be granted on said judgment in favour of said petitioner, but that the sum contained therein shall be discounted on said other executions as aforesaid; and that the clerk of the superior court conform hereto accordingly.

Upon the memorial of Yale Bishop, late of Newhaven now of Wallingford in the county of Newhaven, shewing that on

the 17th day of March, 1757, he borrowed fifty-five pounds, lawful money, of Capt. Joseph Trowbridge, then of said New Haven (since deceased,) and for the security for the payment of said sum by the first day of March then next, and for no other consideration, he gave the said Joseph Trowbridge an absolute deed of sale of his dwelling-house and home-lot situate in said New Haven, containing half an acre and eleven rods of land, bounded westerly on highway or town street, northerly on the town lot, so called, easterly on the home-lot of Timothy Jones and the heirs of William Diodate, deceased, and south on land of John and Experience Brainerd, and on the same 17th day of March, 1757, the said Joseph Trowbridge, by a bond under his hand and seal of that date, bound and obliged himself, his heirs, executors and administrators, to the memorialist in the penal sum of three hundred pounds, lawful money, to reconvey said house and land to the memorialist within ten days after the payment of said sum of £55 0*s.* 0*d.*, provided the same should be paid by said first day of March; that afterwards the said Joseph Trowbridge consented that the memorialist should have the use of said sum for a further time after said first day of March, on the security aforesaid, and that on the 2d day of May, 1765, the memorialist paid to John Whiting, Esq^r^, and Mr. Enos Alling, executors of the last will and testament of the said Joseph Trowbridge, deceased, the sum of £78 13*s.* 0*d.* lawful money, in full satisfaction of said sum of £55, borrowed as aforesaid, with the lawful interest for the same to that time, and took their receipt for the same; praying this Assembly to impower said executors to reconvey said house and lot to the memorialist, as by said memorial on file appears: Resolved by this Assembly, that the said John Whiting, Esq^r^, and Mr. Enos Alling be and they are hereby fully impowered to reconvey said house and land unto the memorialist, and to execute proper deed for that purpose, which shall be good and valid in the law for holding the premises unto the said Yale Bishop, his heirs and assigns, against all claims that may be made thereto by the heirs of the said Joseph Trowbridge by virtue of the deed given by the said Yale Bishop to the said Trowbridge as aforesaid.

Upon the memorial of the east and west societies in Stonington, shewing to this Assembly that on the death of the Reverend Mr. Ebenezer Rossiter, pastor of the church in said west society, being advised by the Reverend Benjamin Lord, Asher Rossiter and Jonathan Barber, association's committee, again to unite into one ecclesiastical society, and the said east and

west societies accordingly having agreed thereupon and made application to this Assembly for that purpose, as per memorial on file &c.: Resolved by this Assembly, that the said east and [west] societies in said Stonington be again united and become one entire ecclesiastical society, to be for the future called and known by the name of the first society in said Stonington, and they are hereby united, created and made one entire ecclesiastical society, with all the priviledges and immunities by law allowed to other ecclesiastical societies in this Colony are vested with, and enjoying the same priviledges and advantages which the said east and west societies have heretofore severally had and enjoyed; and that they, the said east and west societies, be and they are hereby inabled and impowered as separate and distinct societies, to act and transact any society or parish affairs to compleat the settlements referred to in said memorial until the first day of December next; and Joseph Denison, Esq^{r}, of said Stonington, shall be and he is hereby fully impowered and authorized, by himself or other person by him for that purpose appointed and directed, after said first day of December next and during said month of December, to give legal warning to all the inhabitants of said first society that are qualified by law to vote in society affairs, to meet at such time and place as he, the said Joseph, shall for that purpose in said first society appoint; and being so met, that he preside as moderator of such meeting in the forming of said society and choice of all officers and other prudentials of said society, as occasion may require.

[154] Upon the memorial of Robert Miller, of Lyme in the county of New London, shewing to this Assembly that on the 12th of May, 1760, he bought a certain piece of salt meadow with three small hammocks of upland, all bounded and described in a deed of bargain and sale dated the same 12th of May, 1760, under the hand and seal of Samuel Beckwith, late of said Lyme now deceased, of whom said lands were purchased, and that said lands are situate in said Lyme and contain about three acres, and that at the time of said purchase the memorialist paid to said Samuel the sum of twelve pounds, lawful money, as a consideration for said lands, and that at the time of said purchase said Samuel executed said deed by signing, sealing and delivering, but that said deed by accident had never been either acknowledged or recorded; and it having been fully proved to this Assembly by the testimony of the witnesses who set their hands to said deed as witnesses, that the said deed was *bona fide* made and executed as aforesaid by said deceased in his life time; said

memorialist praying relief &c.: Resolved by this Assembly, that said deed may be entered on the records of Lyme aforesaid, and may at any time be produced and given in evidence of the memorialist's title to the lands mentioned and described in said deed, and that the same shall be as good and effectual in law as though the same had been duly acknowledged by said Samuel in his life time.

Upon the memorial of Joanna Kent, of Suffield in the county of Hartford, widow of Moses Kent formerly of said Suffield, deceased, and administrator on the estate of said Moses, shewing that the said Moses on or about the 10th day of March, 1743, died possessed of a considerable estate in lands, which descended to his only child and heir, Elias Kent of said Suffield, then of the age of four months; that the said Elias hath from his birth been an idiot and wholly unable to take care of himself; that the memorialist, guardian to said idiot, hath wholly maintained and supported him for more than twenty-one years, and hath expended at least £175 0*s*. 0*d*. lawful money, in doing the same, more than she hath received out of said idiot's estate or the income thereof &c.; that in June, 1762, she was appointed conservator, by the county court then held at said Hartford, of the person and estate of said idiot; that afterwards she exhibited her account to said county court for supporting said Elias &c., for their allowance &c.; that said county court being in doubt, whether the law enabled them to allow any part of said account antecedent to her said appointment as conservator; praying for a committee &c.: and whereas at the sessions of this Assembly in May last Josiah Bissel, Esq^{r}, and Mr. Alexander Wolcott, of Windsor, were appointed a committee to examine into said matters &c., and make report to said Assembly in October last &c., but said committee failing to report &c. in October aforesaid, and were by said Assembly in October aforesaid reappointed to examine, report &c., to this Assembly in their present sessions, and having now reported agreeable to said appointment, that after examining into the matters referred to are of opinion and do find upon the adjustment of the whole affair, there is due to the memorialist for supporting and maintaining said idiot the sum of £175 0*s*. 0*d*. lawful money; which report being accepted and approved &c.: Resolved by this Assembly, that Samuel Kent, Esq^{r}, of said Suffield, be appointed, and he is hereby impowered and appointed, to make sale of so much of the real estate of the said Elias as to answer and pay the said sum of one hundred and seventy-five pounds with the incident charges arising thereon.

Upon the memorial of Elijah Whiton and others, inhabitants in the northwesterly and westerly parts of the town of Ashford, shewing to this Assembly the great difficulties and inconveniencies they have long laboured under by reason of their great distance from the meeting-house for divine worship in said Ashford, some of them being six, some seven, and others more than eight miles distant therefrom &c.; praying to be made and constituted a distinct ecclesiastical society within certain bounds and limits described and referred to in said memorial, or some other form, or that a judicious committee may be appointed to view their circumstances and make report to this Assembly at their next sessions &c., as per memorial on file: Resolved by this Assembly, that Zebulon West, Erastus Wolcott and William Pitkin jun^{r}, Esq^{rs}, be and they are hereby appointed a committee, to repair to said town of Ashford and view the circumstances thereof and that part thereof mentioned and described in said memorial within certain bounds and limits, and all other attending circumstances, and hear all persons and parties concerned, and consider and determine whether it be reasonable and expedient that a new distinct ecclesiastical society be made and constituted in form as prayed for, or in any other form and manner, and make report thereof with their opinion thereon to this Assembly at their sessions in October next.

Upon the petition of William Cummins of Mansfield, shewing to this Assembly that David Jeffers, Thomas Gray and Dorcas Laughton, all of Boston, the only acting executors of the last will and testament of Henry Laughton late of said Boston, deceased, brought their action against him, the petitioner, to the adjourned county court held at said Windham on the 3d Tuesday of February, A.D. 1764; that said action came to a final tryal before the superior court held at Windham on the 3d Tuesday of March, 1765, when and where judgment was rendered in said action on a general demurrer to the [155] declaration, that the declaration was || sufficient, and that the said David Jeffers &c. recover of the petitioner £45 10*s*. 4*d*. debt and £6 8*s*. 6*d*. cost, wherein the petitioner complains that said judgment is erroneous, for that the said declaration was insufficient, and that no such promise was implied as set forth in the declaration &c.; praying that said erroneous judgment may be reversed and set aside, and the petitioner restored to his damages &c.: Resolved by this Assembly, that the aforesaid judgment is manifestly erroneous, and the same is hereby reversed and set aside and declared to be null and void, and ordered that the petitioner be restored

to all that he hath been damnified thereby, amounting to £7 12 2. *Ex. granted June 3d*, 1765.

An Account of the Additions to the Lists of Estate and Fourfold Assessments sent in to the General Assembly from the several Towns hereafter mentioned in May, 1765, viz:

	Additions.			Fourfold Assessments.		
Lyme,	£ 469	9	9	£		
Farmington,	229	14	9	715	18	0
Lebanon,	515	10	0	1590	11	0
Harwinton,	36	1	0			
Woodstock,	1745	0	0	24	0	0
Canterbury,	537	19	0	590	4	0
Windham,	286	18	0	22	16	0
Goshen,	360	12	0			
Coventry,	44	18	0	488	0	0
Enfield,	111	6	0			
Windsor,	1053	10	3	569	0	0
Voluntown,	180	19	0			
Glastonbury,	438	4	6			
Bolton,	82	6	0			
Ashford,	337	3	6	36	8	0
Pomfret,	1010	9	0			
Killingly,	852	12	0			
New London,	3928	6	9			
Hebron,	256	16	0	82	4	0
Tolland,	128	0	0	91	0	0
Derby,	678	15	2	379	7	0
East Hadham,	600	0	0			
Plainfield,	951	10	0	80	16	0
Hadham,	142	18	0	11	17	0
Branford,	202	11	3			
New Fairfield,	294	2	9	495	11	0
Durham,	18	0	0	20	16	0
Greenwich,	1405	11	6			
Guilford,	177	13	6			
Stonington,	858	2	0	2828	8	0
Mansfield,	403	11	3	54	1	0
Colchester,	524	11	0	1747	0	0
Torrington,	40	0	0	192	4	0
Stamford,	220	14	6	135	4	0
Wallingford,	1039	6	6			
Norwalk,	410	9	3			
Preston,	440	7	6	635	16	0
New Milford,	1000	3	8			
Canaan,	748	6	0			
Ridgfield,	345	16	8	472	4	7

Cornwal,	242	9	0	-	-	-			
Fairfield,	933	14	11	-	-	-	582	2	0
Sharon,	1147	7	0	-	-	-			
Newtown,	600	0	0	-	-	-			
Symsbury,	104	0	0	-	-	-			
Stafford,	311	18	0	-	-	-			
Salisbury,	1637	17	0	-	-	-	54	0	0
Saybrook,	900	0	0	-	-	-			
New Hartford,	28	0	0	-	-	-	72	0	0
Norwich,	283	14	9	-	-	-	1151	1	0
Milford,	322	1	9	-	-	-			
Kent,	874	0	0	-	-	-	135	16	0
Groton,	740	0	0	-	-	-	2107	6	0
Killingworth,	287	15	5	-	-	-	160	0	0
Midletown,	425	11	6	-	-	-	90	16	0
Woodberry,	1179	3	6	-	-	-	412	0	0
Waterbury,	879	18	3	-	-	-			
Danbury,				-	-	-	1235	4	0
Wellington,	101	4	0	-	-	-			
Weathersfield,	556	11	5	-	-	-			
New Haven,	2071	19	0	-	-	-	1227	12	0
Suffield,	609	2	0	-	-	-			

[156] Upon the petition of Joseph Olcott, of Hartford in the county of Hartford, representing that on or about the month of March, 1758, he was indebted and gave his note to Joseph Webb of Weathersfield, since deceased, for the sum of four hundred pounds, New York money, payable in September then next; that afterwards he paid to the said Joseph Webb on account of said note the sum of one hundred pounds, lawful money, which ought to have been endorsed thereon but never was done in his life time; that the said Webb brought his action on said note against the petitioner and recovered a judgment for the whole of said sum of said note and interest thereon, and had execution thereon, which the petitioner hath been obliged to suffer and pay with large sums for interest since, without any allowance for said £100 0*s.* 0*d.* paid as aforesaid; praying for relief &c., as per petition on file: Resolved by this Assembly, that Samuel Talcott and John Ledyard, Esq[rs], of said Hartford, be a committee to enquire into the matters referred to in said petition, and report to this Assembly at their sessions at New Haven in October next, of what they shall find in the premises, with their opinion thereon.

On the petition of Ebenezer Gillet, of Hebron in the county of Hartford, *vs.* Ebenezer Gillet of Lebanon in the county of Windham, as on file: The question was put,

whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £6 4 0, *lawful money. Ex. granted September* 13*th*, 1765.

On the petition of Thomas Welles, of Glastonbury in the county of Hartford, Esq^{r}, one of the principal inhabitants of said town of Glastonbury, and the rest of the inhabitants of said town of Glastonbury, *vs.* George Wyllys, of Hartford in the county of Hartford, Esq^{r}, one of the principal inhabitants of said town of Hartford, and the rest of the inhabitants of the town of Hartford aforesaid, as on file: The question was put, whether anything prayed for in the said petition should be granted: Resolved by this Assembly in the negative.

On the petition of John Young, William Young jun^{r}, Samuel Young and David Young, all of Windham in the county of Windham, *vs.* Andrew Oliver, of Salem in the county of Essex and Province of the Massachusets Bay, Esq^{r}, as on file: The question was put, whether the superior court in proceeding to and rendering the judgment referred to in the said petition manifestly erred and missed the law &c.: Resolved by this Assembly in the negative.

On the petition of Ezekiel Pierce, of Plainfield in the county of Windham, *vs.* Jabez Fitch, of Canterbury in said county of Windham, Esq^{r}, as on file, preferred to this Assembly and withdrawn by the petitioner, cost is allowed to the respondent £2 3 6, lawful money. *Ex. granted May* 31*st*, 1765.

On the petition of Charles Gaylord, of Windsor in the county of Hartford, *vs.* Samuel Talcott, of Hartford in the county of Hartford, Esq^{r}, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed to the respondent is* £1 13 4, *lawful money.*

On the petition of Joseph Mather, of Lyme in the county of New London, *vs.* Richard Mather, of Lyme aforesaid, as on file: The question was put, whether in proceeding to and rendering the judgment complained of in said petition manifest error hath intervened: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 9 6, *lawful money.*

On the petition of Daniel Edwards, Esq^{r}, one of the inhabitants of the town of Hartford in the county of Hartford, and the rest of the inhabitants of said town, *vs.* Phineas Strong,

Esq^r, one of the inhabitants of the town of Coventry, and the rest of the inhabitants of said town, as on file: The question was put, whether there is error in the judgment complained of in said petition: Resolved by this Assembly in the negative.

James Ely, of Lyme in the county of New London, having preferred his petition to this Assembly against Richard Ely and Mary Ely, of Lyme aforesaid, as on file, the parties appeared, and the respondents moved that bond might be given on the part of the petitioner for the prosecution of his petition and for answering the damages in case he should not make his plea good: Mr. Samuel Holden Parsons, of Lyme aforesaid, being present, acknowledged himself to stand bound and indebted to the Treasurer of the Colony of Connecticut in the sum of twenty pounds, lawful money, to be paid to said Treasurer upon condition that the petitioner doth not prosecute his said petition to effect and shall not answer all damages in case he makes not his plea good; and then the question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative. *Cost allowed to the respondents in this case is* £2 11*s.* 6*d.* *Ex. granted May* 3*d*, 1765.

Upon the memorial of Joseph Curtiss, of Stratford in the county of Fairfield, conservator of the person and estate of John Johnson of said Stratford, representing that he had exhibited his account of expences and disbursments for the support of said Johnson to the county court for the county of Fairfield, which have been by said court duly examined and allowed, amounting to the sum of £12 14*s.* 5*d.* lawful [157] money, || and that the said Johnson hath no personal estate for payment of said debt or wherewith he can be supported; praying for liberty to sell so much of the real estate of said impotent person as may be sufficient to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the said Joseph Curtiss have liberty, and liberty and authority is hereby given and granted to him, to sell and convey so much of the real estate of said Johnson as may be sufficient to raise the said sum of £12 14*s.* 5*d.* lawful money, together with the incident charges of such sale.

Upon the memorial of Lucretia Smith, of New London in the county of New London, representing that at the superior court held at New London in September, 1764, she was acquitted on tryal by judgment of said court of the crime of murder wherefor she was prosecuted, and that since she hath been confined in gaol for the cost of said prosecution and is

[in] a languishing condition and not able to answer the same by service or otherwise: Resolved by this Assembly, that she be discharged and released from gaol; and the sheriff of the county of New London is hereby directed and ordered to release and discharge the said Lucretia Smith from gaol.

Upon the memorial of James Thomson, conservator of the person and estate of Nath[l] Payne, representing that the debts and charges due from said Nathaniel amounts unto £35 18 5, and that the credits and moveables sold towards the payment of said sum is £9 0 8, so that there remains due £26 17*s.* 9*d.*; praying for liberty to sell so much of the real estate of said Nathaniel as shall be sufficient to pay said £26 17 9, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of said estate as shall be sufficient to pay said £26 17*s.* 9*d.* together with the charge arising on the sale thereof.

Upon the memorial of Ebenezer Bradley, administrator upon the estate of Ebenezer Bradley late of Newhaven, deceased, representing that the debts and charge due from said estate surmount the moveable part of said estate the sum of £32 5 6; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum and incident charge, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of such sale; taking the direction of the court of probate for the district of Newhaven therein.

Upon the memorial of Samuel Brown and Collins Brown, both of Stonington in the county of New London, executors to the last will and testament of Thomas Brown late of said Stonington, deceased, representing to this Assembly that the debts and charges arising on the estate of said deceased and allowed by the court of probate for the district of New London surmount the personal estate of said deceased the sum of £73 4 0, and that no provision is made in said will for satisfying the same, and praying for liberty to sell so much of the real estate of said deceased as will raise the sum of £73 4 0 with the incident charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted unto the said Samuel Brown and Collins Brown, to make sale of so much of the real estate of said deceased as

will raise the sum of £73 4 0 with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Odiah Loomiss and Nathaniel Loomiss the 2d, both of Windsor in the county of Hartford, conservators of the person and estate of Lydia Moore of said Windsor, shewing to this Assembly that the expence for supporting the said Lydia by the allowance of the county court exceeded the income of her estate the sum of £10 9 0, lawful money, which said sum remained due to the memorialists, and that the said Lydia had no estate except two pieces of land, both lying in Windsor aforesaid, one lying in the meadow, containing one acre, the other wood-land, containing seven acres, and praying for liberty to sell and dispose of said lands for the payment of the aforesaid sum of £10 9*s*. 0*d*. and charges arising on the sale thereof &c.: Resolved by this Assembly, that the said Odiah Loomiss and Nathaniel Loomiss the 2d have liberty to sell the aforesaid two pieces of land referred to in the memorial, for the payment of the said sum of £10 9*s*. 0*d*. lawful money, and the incident charges arising thereon, and that the surplus (if any be) be for the further support of the said Lydia.

Upon the memorial of Lydia Pardee, administratrix upon the estate of Daniel Pardee, deceased, representing that the debts and charge, with some allowance to the widow, surmount the moveable part of said estate the sum of £34 15*s*. 1*d*., praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto her, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum together with the charge of the sale thereof; taking the direction of the court of probate for the district of Newhaven therein.

Upon the memorial of Samuel Wakeman junr, of Fairfield, administrator on the estate of Moses Wakeman late of said Fairfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount his moveable estate the sum of £148 2 6, lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said deceased as will raise the aforesaid sum of £148 2*s*. 6*d*. lawful money, with the incident charges

arising on such sale; taking directions of the court of probate in the district of Fairfield therein.

[158] Upon the memorial of Martha Harvey, of Fairfield in Fairfield county, representing to this Assembly that her brother, Thomas Harvey late of said Fairfield and now deceased, in and by his last will and testament made and executed in due form of law, dated the 24th day of July, A. D. 1747, and since that time duly proved and approved according to law, did will, order and direct, that after his decease the memorialist should be supported and maintained out of his estate as long as she should live; and for that purpose he, the said deceased Thomas, in and by said will did order, impower and authorize and direct the Reverend Mr. John Goodsell of said Fairfield, then in full life but since deceased, the executor in said will named, to sell and dispose of the lands of said Thomas after his decease from time to time as should be needful for the support of said Martha; and that since that time the said Mr. Goodsell has been several years since deceased, and that the memorialist is by age and infirmity of body become impotent and unable to support herself, having no estate of her own, and that she is thereby and in procuring the necessaries of life become indebted to sundry persons in near the sum of £60 0*s*. 0*d*.; praying that some person may be appointed to execute the trust in said will at first committed to said Mr. Goodsell, who is since deceased, that so much of the estate of said deceased Thomas may be sold by such person as shall be sufficient to discharge her debts and for her future support from time [to time] as shall be necessary: Resolved by this Assembly, that Samuel Bradley junr of said Fairfield be and he is hereby appointed, fully authorized and impowered, to execute the trust in said will at first committed to said Mr. Goodsel, who is now deceased, with respect to said Martha, and to sell so much of the estate of said deceased Thomas as shall be sufficient to discharge her debts, and also so much from time to time as shall be sufficient for her further future support and maintenance, as fully and amply as the said Mr. Goodsel might or could have done by force of said will when he was in full life.

Upon the memorial of Nathaniel Judd, James Horsington, Daniel Winchel and Ephraim Boardman, all of Farmington in Hartford county, representing to this Assembly the great inconvenience of attending the public worship of God at the usual place in the parish of Kensington in said Farmington, by reason of their too great distance &c., and praying to be dismissed from said parish and all the duties thereof and an-

nexed to the parish of Southington in said Farmington: Resolved, that Nathaniel Judd, James Horsington, Daniel Winchel and Ephraim Boardman, together with their respective families and lands, be dismissed from all the duties and taxes of whatsoever kind that they now are or ever were subject unto by virtue of their being part of the parish of Kensington aforesaid, and that for the future they, the said Judd, &c., be annexed unto the parish of Southington in Farmington, and become part thereof to all intents and purposes.

Upon the memorial of Stephen Benedict the second, of Norwalk, administrator on the estate of Betty Benedict late of said Norwalk, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount her moveable estate the sum of £9 13*s*. 7½*d*. lawful money, and also further representing that the whole of the real estate of said deceased consists in two ninth parts of a house and barn and fifteen rods of land, and in one rood of land in the home-lot, so called, and also in a right of land in the common field, the whole amounting according to the inventory to no more than seventeen pounds, lawful money, and that said real estate cannot be divided or severed without spoiling the whole, and praying that he may [have] liberty to make sale of the whole real estate of said deceased: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him, to make sale of the whole of said real estate, and that so much of the avails thereof as will be sufficient to satisfie the aforesaid sum of £9 13*s*. 7½*d*. with the incident charges arising on such sale be applied to and made use of for that purpose, and that the residue (if any be) be subjected to a division among the heirs of said deceased, and shall accordingly be delivered over to and divided among said heirs in such proportion as the court of probate in the district of Fairfield shall order and direct.

Upon the memorial of John Brownson and Anne Baldwin, administrators on the estate of John Baldwin late of Litchfield in Litchfield district, deceased, shewing to this Assembly that the debts due from the estate of the said deceased, with some allowance to the widow of the said deceased, surmount the personal inventoried estate of the said deceased the sum of £44 19*s*. 2*d*. lawful money; praying for liberty to make sale of so much of the real estate of said deceased as to answer and pay the said sum with the incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby granted unto them, to make sale of so much of the real estate

of the said John Baldwin, deceased, as to answer and pay the said sum of £44 19*s*. 2*d*. lawful money, with the incident charges arising on said sale; taking the direction of the court of probate in the district of Litchfield therein.

Upon the memorial of Russel Kilborne, administrator on the estate of widow Mary Kilborn late of Hartford, deceased, shewing to this Assembly that the debts due from said deceased's estate exceed the personal estate the sum of £6 14*s*. 7½*d*. lawful money; praying for liberty to sell real estate sufficient to pay said sum with incident charges &c., as per memorial on file &c.: Resolved by this Assembly, that the memorialist have liberty and he is fully impowered, to make sale of so much of said deceased's real estate as to procure said sum of £6 14*s*. 7½*d*. lawful money, with incident charges arising on such sale; taking the direction of the court of probate in the district of Hartford therein.

[159] Upon the memorial of Thomas Thatcher, administrator on the estate of the late Thomas Thatcher of Lebanon, deceased, praying for liberty and authority to make sale of so much of the real estate of said deceased as will raise the sum of £17 0*s*. 8*d*. lawful money, for the payment of debts due from estate more than the inventoried moveable estate of said deceased, and the money raised by a sale which hath been already ordered and made: Resolved by this Assembly, that the said administrator be and he is hereby authorized and impowered, to make sale of so much of the real estate of said deceased as will raise the said sum of £17 0*s*. 8*d*. lawful money, for the payment of said remaining debts with the incident charges arising on said sale; taking direction of the court of probate in the district of Windham therein.

Upon the memorial of Joseph Peck, conservator of the person and estate of Ebenezer Peck, representing that he had expended in supporting said Ebenezer from April, 1764, to April, 1765, and some due from the estate of said Ebenezer not before exhibited, the sum of £48 13*s*. 2*d*.; praying for liberty to sell so much of the real estate of said Ebenezer as shall be sufficient to pay said sum, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said Ebenezer as shall be sufficient to pay said sum together with the charge of the sale thereof.

Upon the memorial of John Blackman of Newtown, captain of the 2d company or trainband in said Newtown, shewing to this Assembly that the setting off Newberry society, a

granting a captain's company there has very much broke the company of which the said captain had the command, and also shewing to this Assembly that the first company or train-band in said Newtown has near double the number of his, and thereupon desires this Assembly to grant a new division of said companies, and that Colo. John Read, colonel of said regiment, be directed and impowered to make a new division of said two companies in said Newtown and fix and ascertain the line between said companies, and make return thereof to the General Assembly for establishment &c.: Resolved by this Assembly, that Colo. John Read, colonel of said regiment, be appointed and he is hereby appointed and fully impowered, to make a new division of the two companies or trainbands abovesaid, and to fix and ascertain the line between them, and make return thereof to this Assembly in their sessions in October next.

Upon the memorial of Pygan Adams of New London, shewing to this Assembly that in the month of August, 1762, one Lieutenant Burns, a regular officer, being on an express from Louisbourg to General Amherst at New York, came to said memorialist's house and demanded said memorialist to impress two good horses to go to Newhaven, which accordingly was done, for which the owners thereof [demanded] twenty-five shillings each, the officer who press'd the same ten shillings, and the post fifteen shillings, which sums amount to £3 15*s.* 0*d.*, for which services said officer refused to pay anything; praying this Assembly to order and enact that said sums be paid to the memorialist out of the treasury of this Colony, to enable him to pay said sums to the persons to whom they are due, as by said memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered and directed to pay out of the public treasury of this Colony, to said memorialist the aforesaid sum of £3 15*s.* 0*d.* lawful money, for the purposes aforesaid.

Upon the memorial of Ebenezer Smith of Farmington, administrator on the estate of Ebenezer Smith late of said Farmington, deceased, shewing to this Assembly that the debts and charges due from said estate, with necessaries set out to the widow, surmount the moveable estate of the said deceased the sum of £73 15*s.* 3*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as to raise said sum of £73 15*s.* 3*d.* lawful money, with the incident charges arising on said sale, taking the direction of the court of probate in the district of Hartford therein, as per memorial on file: Resolved by this Assembly, that the

memorialist have liberty and he is hereby fully impowered, to make sale of so much of the real estate of the said deceased as to raise said sum of £73 15*s.* 3*d.* lawful money, with the incident charges arising on said sale; he taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Abigail Thomson and Stephen Andrus, both of Wallingford, executors of the last will and testament of Joseph Thomson late of said Wallingford, deceased, shewing to this Assembly that the debts and allowances on said estate surmount the personal estate of said deceased £76 9*s.* 8*d.* and no provision made for payment thereof by said will &c.; praying that they may be substituted and authorized to sell so much of the real estate of said deceased as shall raise said sum, as per memorial on file: Resolved by this Assembly, that said Abigail Thomson and Stephen Andrus be and hereby are substituted and authorized to make sale of so much of the lands of the deceased as shall raise said sums with incident charges arising thereon; taking the direction of the court of probate in the district of New Haven in the premises.

Upon the memorial of Daniel Blogget, of Stafford in the county of Hartford, conservator of the person and estate of John Huxley of said Stafford, a person incapable of taking care of himself, representing to this Assembly that the debts and charges due from said Huxley surmount his personal inventoried estate, which have been examined and allowed, the sum of £49 7*s.* 9*d.*, as by memorial on file, and praying to this Assembly for liberty to sell so much of the real estate of said Huxley as to raise the sum of £49 7 9, lawful money, with incident charges of sale: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted him, to sell so much of the real estate of said Huxley as to raise the sum of £49 7*s.* 9*d.* lawful money, with incident charge of sale.

[160] Upon the memorial of the inhabitants of the second society in Stafford, by their agent Capt. Samuel Daviss of said Stafford, shewing to this Assembly that some time since said society was made and constituted, and number of the inhabitants in said society have been released and exempted from paying any taxes in said society made for building meeting-houses or supporting the ministry; that said society have proceeded to build a meeting-house and settle a minister in said society, by means whereof they are considerably indebted and unable to discharge those debts and support the ministry among them without some relief; that there are many large and valuable tracts of land in said society belonging to non-

resident proprietors, which be unimproved and are of much more value by reason of building said meeting-house and settling a minister as aforesaid; and praying this Assembly to enable and impower them to tax all the lands in said society &c., as per memorial on file: Resolved by this Assembly, that the inhabitants of said society have full power and authority, and full power and authority is hereby granted them, by their society committee for the time being, to lay or assess a tax of one penny per acre on all the lands contained within said society annually for the space of four years next coming, and to deliver such rate so made unto the collector chosen by said society to collect their society rate, which collector shall have the same power and authority and be under the same regulations as is provided by the laws of this Colony for collecting of rates or taxes granted on land lying in new towns or societies; and the committee of said society are impowered to order and direct such collector annually to collect such land tax by the first day of November annually in each year for the space of four years and no longer, and pay the same to said society committee for the time being in each year, to be improved for the use of supporting the ministry and defraying the charge of building the meeting-house in said society.

Upon the memorial of Benjamin Henshaw and Huldah his wife, administrators on the estate of William Sumner late of Middletown in said Colony, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Middletown against said estate surmount the moveable part thereof the sum of £111 10*s.* 3*d.* lawful money, and thereupon praying for liberty to sell real estate &c., as per memorial on file: Resolved, that the memorialists have liberty and they are hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £111 10 3, together with the incident charges arising on such sale, to enable them to pay the debts aforesaid; taking the direction of the court of probate for the district of Middletown therein.

On the representation of the Northern Association in the county of Hartford, shewing to this Assembly that the church and society of Poquannuck have for many years past been destitute of the steady and regular administration of the ordinances of the gospel, without a settled minister among them, and but little prospect of a re-settlement, by reason of the smallness of said society and the number in opposition to the settlement of a minister; and also on the representation

made by a number of the members of the first and sixth societies in Windsor, shewing the great difficulties they are under on account of their smallness: thereupon proposing that a committee might be sent to endeavour a union of the aforesaid three societies: It is resolved by this Assembly, that the Hon^ble^ William Pitkin, Esq^r^, Jonathan Trumble, Esq^r^, and Hezekiah Huntington, Esq^r^, be a committee to repair to said town of Windsor, notifie said three societies, hear or make proposals for a union, and endeavour by the most winning and inviting ways and means in their power to bring about so happy an event: but if no prospect of union of said three societies shall appear to said committee, then said committee are to repair to said society of Poquannuck, examine into their circumstances, and report their opinion what may be expedient for this Assembly further to do relating to them.

Upon the memorial of David Day, Peter Bulkley, Israel Wells and Roger Clark, selectmen of the towr. of Colchester, shewing that on the 14th day of February, 1765, by and with the advice of Daniel Foot, Esq^r^, justice of the peace, they, pursuant to the law in that case provided, took into their care and disposal one Alexander Dodge of said Colchester with his family and estate, and him disposed in service; and that the said Alexander is indebted in the sum of seven pounds and has no effects to pay the same; praying that they or some other meet person might make sale of so much of the real estate of said Alexander as shall raise said sum of seven pounds with the incident charges thereon, as per memorial on file &c. may appear: Resolved by this Assembly, that Peter Bulkley, one of the abovenamed memorialists, have liberty, and liberty and authority is hereby granted to him the said Peter Bulkley, to make sale of so much of said real estate of said Alexander as shall raise said sum of seven pounds with incident charges thereon, and to execute proper conveyance thereof to such purchaser or purchasers thereof.

Upon the memorial of the inhabitants of the parish of New Britain in the town of Farmington in the county of Hartford, by their agents Daniel Dewey and Noah Stanly, shewing that in May, 1754, they were created and made into a distinct ecclesiastical society with powers and priviledges [161] within || certain bounds, lines and limits; that Messrs. Thomas Stanly, Daniel Hart and John Clark and the farms on which they then dwelt was and have ever since been excluded from said society and the limits thereof, and those who now own and live on said lands belong to the first society

in said Farmington &c.; praying that the said farms and the owners and inhabitants thereof may belong and be annexed to the said society of New Britain &c., as per memorial on file: Resolved by this Assembly, that the lands and farms of the said Thomas Stanly, Daniel Hart and John Clark, and those who now own and inhabit the same, shall for the future be annexed to and belong to said society of New Britain and within the limits of the same.

Upon the memorial of Hendricka Hogoboom, of Canaan in Litchfield county, administratrix on the estate of Bartholomew Hogoboom late of said Canaan, deceased, shewing that the debts due from the estate of the said deceased, with some allowance to the widow, surmount the personal estate of the said deceased the sum of £99 6 6, lawful money; praying for liberty to make sale of so much of the real estate of said deceased as to pay the said sum of £99 6 6 &c., as per memorial on file: Resolved by this Assembly, that the said Hendricka Hogoboom have liberty, and authority is hereby granted unto her, to make sale of so much of the real estate of said deceased Bartholomew Hogoboom as to answer and pay the said sum of £99 6 6 with the incident charges arising on said sale; taking the direction of the court of probate in the district of Litchfield therein.

On the memorial of Jonathan Kingsbury, of Windham in the county of Windham, administrator on the estate of John Gould late of said Windham, deceased, shewing to this Assembly that the debts due from the estate [of the] deceased surmount his moveable estate the sum of £36 10*s*. 10*d*. lawful money, and that said deceased dyed seized of about sixty acres of land with a small dwelling-house thereon, lying partly in Windham and partly in Ashford in said county; praying that this Assembly would grant liberty to said memorialist to sell the whole of said real estate and thereof to pay said sum of £36 10*s*. 10*d*. with the incident charges of said sale, and that the overplus, if any should be, might be disposed of according to law; or that if this Assembly should judge that the whole of said real estate might not be sold, then that said memorialist might be impowered and authorized to sell so much of said real estate as would be sufficient to raise said sum of £36 10*s*. 10*d*. lawful money, and the incident charges of said sale, as per said memorial on file appears: Resolved by this Assembly, that said memorialist have liberty, and liberty and authority is hereby granted to him, to sell the whole of said real estate of said estate mentioned in said memorial, and to give authentick deeds of

conveyance thereof, and thereof to pay said sum of £36 10*s*. 10*d*. lawful money, and the incident charges of said sale, and that the overplus, if any there be, be disposed of to and among the widow and heirs of said deceased according to law &c.

Upon the memorial of Joseph Enos and Sarah Loomiss, executors of the last will and testament of Mr. James Enos late of Union in Windham county, deceased, shewing to this Assembly that the debts due from the estate of said deceased, which have appeared and been allowed by the court of probate for the district of Stafford since liberty was granted to the memorialists in May, 1764, for the sale of part of the real estate of said deceased, amounts to the sum of £30 2*s*. 0*d*. lawful money, and now praying for liberty to sell so much of the real estate of said deceased as to raise the sum of £30 2*s*. 0*d*. lawful money, with incident charges of sale: And liberty is hereby granted to said memorialists to sell so much of the real estate of said deceased as to raise said sum of £30 2*s*. 0*d*. with incident charge of sale; taking direction of the court of probate for the district of Stafford therein.

Upon the memorial of Gershom Blyn, administrator on the estate of Thomas Butler late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, with necessary moveables set out to the widow of said deceased, surmount the whole moveable estate of the said deceased the sum of £82 3*s*. 1¼*d*. for the payment whereof the said administrator hath no moveable estate; praying for liberty to sell so much of the real estate of said deceased as will procure said sum of £82 3 1¼ with necessary charges arising thereon, taking direction of the court of probate in the district of Hartford therein, as per memorial on file: Resolved by this Assembly, that liberty be granted to said administrator, and he is hereby fully authorized and impowered, to sell so much of the real estate of said deceased as will procure said sum of £82 3*s*. 1¼*d*. with necessary charges arising thereon; taking direction of the court of probate for the district of Hartford therein.

Upon the memorial of Jemima Mead, administratrix on the estate of James Mead late of Greenwich in Fairfield county, deceased, shewing that since the liberty granted by this Assembly in May last to sell land for payment of debts due from said estate, more debts have appeared against said estate which had not been allowed before, amounting to the sum of £11 18 4, lawful money, for payment of which she

hath no personal estate in her hands; praying to be impowered to sell real estate to raise said sum and to pay the charges of said sale: Resolved by this Assembly, that liberty be granted to the said Jemima Mead and she is hereby impowered, to sell of the real estate of said deceased so much as shall be necessary to raise said sum and to pay the charges of said sale; taking direction of the court of probate in the district of Stamford therein.

[162] Upon the memorial of Nathaniel Benedict, of Norwalk in the county of Fairfield, conservator over Thomas Raymond of said Norwalk, shewing to Assembly that he had laid out and expended for the support and maintenance of the said Thomas Raymond the sum of £10 11*s.* 7*d.* lawful money, and exhibited an account of the same to the county court held at Fairfield within and for the county of Fairfield on the 3d Tuesday of April last, and then had the same examined and allowed by said court, and that the said Thomas has not any personal estate wherewith to pay the same or any part thereof, and praying for liberty and authority to sell so much of the real estate of the said Thomas Raymond as shall be sufficient to pay and discharge the aforesaid sum of £10 11*s.* 7*d.* together with the incident charges arising on the sale thereof: Resolved by this Assembly, that the said Nathaniel Benedict have liberty and authority, and liberty and authority is hereby granted to him, to sell and convey so much of the real estate of the said Thomas Raymond as will be sufficient to pay and discharge the aforesaid sum of £10 11*s.* 7*d.* together with the incident charges arising on the sale thereof.

Upon the memorial of Hendricka Hogoboom, of Canaan in Litchfield county in the Colony of Connecticut, conservator [of] Heartry Hogoboom and Aarontry Hogoboom of said Canaan, idiots, shewing that she hath expended towards the support and maintenance of the said Heartry the sum of £114 6 0, lawful money, and towards the support of the said Aarontry £81 18 0, lawful money, and they the said idiots have nothing save real estate to answer and satisfie said sums; praying that she may have liberty to make sale of so much of the real estate of the said idiots as to answer and pay the said sum, as per memorial on file: Resolved by this Assembly, that the said Hendrika Hogoboom have liberty, and liberty and authority is hereby granted to her, to make sale of so much of the real estate of the said Heartry as to answer and pay the said sum of £114 6*s.* 0*d.*, and so much of the real estate of the said Aarontry as to pay the

said sum of £81 18*s.* 0*d.* with the incident charges on said sale arising.

Upon the memorial of Mary Kimberly of Glastonbury, the only acting executrix of the last will and testament of Samuel Kimberly late of Glastonbury, deceased, shewing that the said Samuel in his said last will and testament, proved and approved, after divers bequests and devises, ordered that his brother John Kimberly (co-executor with the said memorialist appointed by said Samuel in and by his said last will and testament, who denied the trust,) to sell and convey all his other lands not before disposed of in said last will and testament, and out of the monies they should be sold for that all his just debts and funeral charges and cost of selling should be paid, and the overplus of said monies (if any should be) his said brother should dispose of and pay out to defray the charge and expence of his son's education, or otherways for his said son's use: and the said John Kimberly denying the said trust of executor, nothing hath been done therein, and that the memorialist is thereupon unable to pay the said debts, charges, and to educate the said son of said Samuel according to his will; and praying for liberty to make sale of said remaining part of said land for the purposes in said will mentioned, as per memorial &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the memorialist, to make sale of said remaining part of said land at best discretion, with full power and authority to execute all such deeds and conveyances necessary for the full and perfect conveying the same.

Upon the memorial of Joshua Porter of Salisbury, shewing to this Assembly that he was legally licenced to keep a house of public entertainment in said Salisbury for the year 1764, and did perform said business to good satisfaction, and that he was not nominated for said business by the authority of said Salisbury for the year 1765, at their meeting for that business in the month of January last, and that his house is situated near the furnace in said Salisbury, where much company resort &c., that he is under inevitable necessity of suffering much in his interest by reason of strangers that come on business to said furnace and thereby cumber and trouble his house, and praying to this Assembly to grant him licence to keep an house of public entertainment until the 4th Tuesday of April next, as per memorial on file appears: Resolved by this Assembly, that the said Joshua Porter have licence, and he is hereby licenced, to keep an house of public entertainment at his dwelling-house in said Salisbury from this time until

the 4th Tuesday of April, 1766, he becoming bound according to law to conform to all the laws of this Colony respecting tavern-keepers.

Upon the memorial of John Crocker, administrator on the estate of James Camp late of New London in the county of New London, deceased, shewing to this Assembly that the debts and charges arising on the estate of said deceased amount to the sum of £112 14 2, and surmount the personal estate of said deceased the sum of £79 6 6; praying liberty of this Assembly that said memorialist, or some other suitable person, may be appointed to sell so much of the real estate of said deceased as may be sufficient to pay said sum of £79 6 6 with the incident charges arising on said sale, taking the advice and direction of the court of probate in the district of New London in the sale thereof, as per memorial on file: Resolved by this Assembly, that Christopher Raymond of said New London be appointed, and he is hereby appointed and impowered, to sell so much of the real estate of said deceased as to raise and pay the aforesaid sum of £79 6 6 with the incident charges arising on said sale; taking the advice and direction of the court of probate in the district of New London in the sale thereof.

[163] Upon the memorial of Hannah Lockwood, administratrix on the estate of Theophilus Lockwood late of Greenwich in Fairfield county, deceased, shewing to this Assembly that the debts &c. due from the estate of said deceased surmount the personal inventoried estate of said deceased the sum of £94 2 8, lawful money, and praying liberty to sell real estate to raise said sum and pay the charge of sale: Resolved by this Assembly, that the said memorialist have liberty and she is hereby impowered, to sell of the real estate of said deceased to raise said sum of £94 2 8, lawful money, to enable her to pay said debts, and also to pay the charges of said sale; taking direction of the court of probate for the district of Stamford therein.

Upon the memorial of Samuel Scofield, of Stamford in Fairfield county, representing to this Assembly that Ezekiel Roberts of said Stamford was brought before Abraham Davenport, Esq^{r}, *just. pacis* for said county, by writ dated the 5th day of September, A. D. 1763, for assaulting and beating one David Maltbie of said Stamford in the execution of his office, and that said justice on hearing and considering the same ordered that said Roberts should become bound with a surety in a recognizance of thirty pounds to appear before the county court to be held in Fairfield on the 3d Tuesday of November

then next, to answer said complaint, and that said Scofield was induced from the principles of benevolence and on the most solemn assurance of said Roberts to save him harmless, to become his surety, and that said cause was continued from court to court until it came to the county court held in Fairfield in and for Fairfield county on the 3d Tuesday of April, A. D. 1764, when the said Roberts not regarding his said promise, after being three times called in said court to save himself and said Scofield his bail from said recognizance, made default, whereby said recognizance became forfeited; and that since that time, *viz:* at the county court held in said Fairfield on the 3d Tuesday of April last, said Scofield was sued and a judgment by said court rendered against him on said recognizance for said sum of thirty pounds; thereupon praying that he may not be compelled to pay the whole of said sum, but that some part thereof may be abated to him: Resolved, that said Scofield be subjected to pay no more of said judgment founded on said recognizance than only the sum of ten pounds, including the cost, and that from the rest and residue thereof he be acquitted and discharged.

Upon the memorial of Sarah Young, administratrix on the estate of Robert Young late of Midletown, deceased, shewing to this Assembly that the debts, charges and allowance to the widow, made and allowed by the court of probate for the district of Midletown, surmount the moveable part of the estate of said estate of said deceased the sum of £84 13*s.* 0½*d.*, and thereupon praying for liberty to sell real estate &c., as per memorial on file: Resolved, that the memorialist have liberty, and she is hereby appointed and authorized, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £84 13 0½, together with the incident charges arising on such sale; taking the directions of the court of probate for the district of Midletown therein.

Upon the memorial of Thomas Lucas, of Goshen in the county of Litchfield, shewing to this Assembly that at the General Assembly held at Hartford on the 2d Thursday of May, 1757, the inhabitants of the north-east part of Goshen obtained liberty to have four months preaching of the gospel annually from the first of December to the first of April, amongst themselves, and during that time be freed from paying taxes to the society which they belonged to, and in running the lines prescribed in said grant he, said Lucas, was found to be but two rods within said limits, and that he lived at the southwest corner of said winter parish and within less than a mile and a half of the meeting house in the town where always

he hath with his family attended, and that it was not ever supposed that he lived within the limits of said winter parish, and that he had to travel where they meet to the winter parish above three miles, as per memorial on file: Resolved by this Assembly, that the said Thomas Lucas be released from paying taxes to said winter parish, and that he pay to the other society as usual; he being included in said winter parish by running said line notwithstanding.

Upon the memorial of Ebenezer Way junr, of New London in the county of New London, representing that on the 6th day of June, 1764, in crossing New London ferry he lost accidentally his pocket-book in the river, together with twenty pounds of Connecticut bills of the emission of March, 1762, exclusive of the interest arising on said bills, and twenty pounds of March, 1761, exclusive of the interest thereof, and three pounds ten shillings of March, 1760, emission, exclusive of interest, and a sum of the emission of May, 1763, and March, 1764, to the amount of about eight pounds, exclusive of interest, and hath not since found said sums or any part thereof; praying for relief &c., as by the memorial at large may appear: Resolved by this Assembly, that the said Ebenezer Way junr shall receive out of the treasury of this Colony the sum of fifty-seven pounds fourteen shillings and ten pence, lawful money, and the Treasurer of this Colony is hereby directed and ordered to pay unto him, the said Ebenezer Way, the said sum of £57 14 10.

Upon the memorial of William Noyes and Seth Marvin, of Lyme, administrators on the estate of Capt. Mathew Marvin late of said Lyme, deceased, shewing to this Assembly that said administrators obtained an order of Assembly in May, 1761, to sell so much of the real estate of said deceased as to raise and pay the sum of £421 19 5, lawful money, since [164] which said memorialists have ‖ exhibited to the court of probate an account of sundry debts due from said deceased and paid by said memorialists and allowed in the court of probate, (not before considered or allowed,) amounting to £82 18*s*. 2*d*. and no personal estate to pay the same; praying liberty that said memorialists may be impowered to sell so much of the real estate of said deceased as may be sufficient to raise and pay the aforesaid sum of £82 18*s*. 2*d*. with the necessary charges arising on said sale, taking the advice of the court of probate in the sale thereof: Resolved by this Assembly, that liberty be, and liberty is hereby granted to said memorialists, to sell so much of the real estate of said deceased as to raise and pay the aforesaid sum of £82 18*s*.

2*d*. with the incident charges arising on said sale; taking the advice and direction of the court of probate in the district of New London in the sale thereof.

Upon the memorial of Abraham Thomson, of Stratford in Fairfield county, conservator of the person and estate of Thomas Thomson of said Stratford, representing that in April last he exhibited to the county court for the county of Fairfield his account of expences for the support of said Thomas, amounting to the sum of £42 5*s*. 10*d*. lawful money, which hath been by said court examined and allowed, for payment whereof the said Thomas hath no personal estate, and praying for liberty and power to sell so much of the real estate of said Thomas as may be sufficient to pay said sum together with the incident charges of such sale, as per memorial on file: Resolved by this Assembly, that the said Abraham have liberty, and liberty and authority is hereby granted to him, to sell and convey so much of the real estate of said Thomas as may be sufficient to raise said sum of £42 5*s*. 10*d*. lawful money, together with the incident charges of such sale.

Upon the memorial of Joseph Dutton, executor of the last will and testament of Samuel Dutton late of Farmington, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, with the necessaries set out to the widow, surmount the moveable estate of the said deceased the sum of £12 14*s*. 10¼*d*. lawful money, for the payment of which sum the memorialist has no moveable estate in his hands; praying to this Assembly that the memorialist, or some other meet person, may be appointed to make sale of so much of the lands of the said deceased as to raise said sum of £12 14*s*. 10¼*d*. lawful money, with the incident charges arising on said sale, he taking the direction of the court of probate in the district of Hartford therein: Resolved by this Assembly, that the memorialist be appointed and he is hereby appointed and impowered, to make sale of so much of the real estate of the said deceased as to raise said sum of £12 14*s*. 10¼*d*. lawful money, with the incident charges arising on said sale; he taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Thomas Stymson and Sarah Stymson, administrators on the estate of Thomas Fuller jun^{r} late of Wellington, deceased, shewing to this Assembly that the General Assembly at their sessions at Hartford in May, 1763, granted liberty to said administrators to sell so much of the lands of Thomas Fuller of Wellington, deceased, as to raise

the sum of £9 18 7, for the payment of debts &c., which was by mistake and should have been liberty to sell so much of the lands or real estate of Thomas Fuller jun^r^ of Wellington, deceased; and the said administrators having discovered the mistake have not proceeded to sell: praying this Assembly to grant liberty and impower the said memorialists instead of selling the lands of Thomas Fuller to sell so much of the lands or real estate of Thomas Fuller jun^r^ of Wellington, deceased, for the payment of debts, as per memorial on file appears: Resolved by this Assembly, that the memorialists have liberty and they are hereby impowered, (instead of selling lands of Thomas Fuller of Wellington, deceased,) to sell so much of the real estate of Thomas Fuller jun^r^ of Wellington, deceased, as to raise the said sum of £9 18*s.* 7*d.* lawful money, for the payment of debts together with the necessary incident charges arising on said sale; taking the direction of the court of probate in the district of Hartford therein.

Resolved by this Assembly, That the Treasurer of this Colony pay out of the Colony treasury to Mr. Timothy Green, printer, the sum of £9 9*s.* 4*d.* in bills of credit emitted by this government: the same being for sundry services done and disbursements made by him for this Colony since the sessions of the Assembly at New Haven in October last past.

[165] *Resolved by this Assembly*, That the Treasurer of this Colony be and he is hereby ordered to pay to Mr. Moses Parks, surveyor, the sum of twenty pounds out of the Colony treasury, to be by him improved towards the charge of surveying and making a map of this Colony,* and to account for the same.

The Treasurer of this Colony is hereby ordered to pay out of the public treasury the sum of thirty pounds eleven shillings and eight pence, lawful money, to the Hon^ble^ Thomas Fitch, Esq^r^, Governor, for his care and service in drawing bills of exchange for £9176 11*s.* 10*d.* 3*q.* sterling, of the monies belonging to the Governor and Company of this Colony lodged in the hands of the Agent in England.

This Assembly grants to the Hon^ble^ Thomas Fitch, Esq^r^, Governor, one hundred and fifty pounds, for his salary the first half of the current year, and the Treasurer is hereby ordered and directed to pay the same accordingly.

This Assembly grants to the Hon^ble^ William Pitkin, Esq^r^, Deputy Governor, fifty pounds, for his salary the first half of

* The instructions to the surveyors may be found in *Miscellaneous*, III, 226.

the current year, and the Treasurer is hereby ordered and directed to pay the same accordingly.

This Assembly grants to George Wyllys, Esq^r, Secretary of this Colony, the sum of twenty pounds, lawful money, for his salary for the last year, and the Treasurer is hereby ordered and directed to pay the same accordingly.

This Assembly grants to Joseph Talcott, Esq^r, Treasurer of this Colony, the sum of one hundred pounds, lawful money, for his salary for the last year: and also the sum of sixty pounds, lawful money, for his extraordinary service in the same year.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Teste GEORGE WYLLYS, Secret'y.

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[166] AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY (BY SPECIAL ORDER OF THE GOVERNOR of SAID COLONY,) ON THE NINETEENTH DAY OF SEPTEMBER IN THE FIFTH YEAR OF THE REIGN OF HIS MAJESTY GEORGE THE THIRD, KING OF GREAT BRITAIN &c., ANNOQUE DOMINI 1765.

Present:

The Hon^ble Thomas Fitch, Esq^r, *Governor.*

The Hon^ble William Pitkin, Esq^r, *Deputy Governor.*

Ebenezer Silliman,	Mathew Griswold,	Esq^rs, *Assistants.*
Jonathan Trumble,	Shubael Conant,	
Hezekiah Huntington,	Elisha Sheldon,	
John Chester,	Eliphalet Dyer,	
Benjamin Hall,	Jabez Huntington,	
Jabez Hamlin,		

Representatives or Deputies who attended this Assembly are as follow, viz:

[The names are not on the record.]

[167] Whereas it has been proposed that a Congress be attended by Commissioners from the several governments on this continent, to confer upon a general and united humble, loyal and dutiful representation to his Majesty and the Parliament of the present circumstances of the Colonies and the difficulties to which they are and must be reduced by the

operation of the acts of Parliament for levying duties and taxes on the Colonies, and to implore relief &c.

Resolved by this Assembly, That Eliphalet Dyer,* William Samuel Johnson and David Rowland, Esq^rs, or any two of them, be and hereby are appointed Commissioners on behalf of this Colony, to repair to New York, to attend the proposed Congress in the matters above referred to. And his Honour is hereby desired to commissionate them accordingly.

[168] Instructions to the Commissioners of this Colony appointed to meet Commissioners from the other Colonies at New York on the first Tuesday of October next.

Gentlemen: You are to repair to the said city of New York at said time, or at the time according to the intelligence you may receive of the convening of the other Commissioners it may appear to you seasonable and best, to consult together with them on the present circumstances of the Colonies and the difficulties to which they are and must be reduced by the operation of the acts of Parliament for levying duties and taxes on the Colonies, and to consider of and prepare a general and united dutiful, loyal and humble Representation of their Condition to his Majesty and the Parliament, and to implore relief.

In your proceedings you are to take care that you form no such junction with the other Commissioners as will subject you to the major vote of the Commissioners present.

You are to inform the Governor and the General Assembly, at the session in October next, of all such proceedings as shall appear to you needful and convenient to be communicated for consideration, and to observe all such further instructions as you may receive.

And you are to report your doings, with the doings of the Commissioners at such meeting, to the General Assembly of this Colony, for acceptance and approbation.†

Resolved by this Assembly, That the Committee appointed by this Assembly to meet the committees from the neighbour

* Instead of Mr. Dyer, Jonathan Trumbull, Esq., was at first appointed. *Rev. War*, 1, 20.

† The proceedings of this congress were printed at Annapolis in 1766, by Jonas Green, fo. pp. 28. From this copy they were reprinted in London in 1767, by Almon in his third volume of *Interesting Tracts*, and separately; as also in the *Prior Documents*, Lond. 1777. From the London edition, 1767, they were reprinted in Philadelphia, at the office of the *United States Gazette*, 1813. In 1812, from an official copy, Niles published the journal in the *Weekly Register*, ii, 337, 353. This was reprinted with some additions, New York, 1845. An official copy in MS. is in our archives, *Rev. War*, 1, doc. 22.

Provinces at New York in October next receive out of the treasury of this Colony the sum of one hundred pounds, lawful money, and to account for the same when thereto required; and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

Whereas there have been of late in several parts of this Colony divers tumultuous and unlawful assemblies of persons, to the disturbance of the peace and terror of his Majesty's liege subjects, and against the laws of this Colony: This Assembly taking the same into their most serious consideration, and being desirous to discountenance and suppress all such tumultuous and riotous disorders, tending to the disturbance of the public peace and to the endangering all order and government, resolve, that his Honour the Governor be desired, and he is hereby desired, to issue a proclamation commanding all proper officers that they use their utmost endeavours to prevent and suppress all riots, tumults and unlawful assemblies, and duly to execute the laws and statutes made for preventing, suppressing and punishing the same; and that all other his Majesty's liege subjects in this Colony be aiding and assisting therein.*

This Assembly do appoint Joseph Talcott, Esq^{r}, to be Judge of the Court of Probate for the district of Hartford† until the rising of this Assembly in May next.

This Assembly do appoint Nathaniel Hill, Esq^{r}, to be Judge of the Court of Probate for the district of Guilford until the rising of this Assembly in May next.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Teste GEORGE WYLLYS Secret'y.

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*In his *Letters relating to the Stamp Act,* Mr. Ingersoll says that he suffered the indignity of being burned in effigy in many towns in the Colony. There was printed at New London in 1765, a pamphlet with the title *Liberty and Property vindicated, and the St. . pm. n burnt. A Discourse on burning the Effige of the St. . pm. n in New London.*

†In the place of Daniel Edwards, Esq^{r}, who died at New Haven Sept. 6, 1765, in his 65th year. Rev. Edward Dorr delivered a discourse upon his death, which was printed.

[169] *Anno Regni Regis Georgii tertii quinto.*

At a General Assembly of the Governor and Company of his Majesty's English Colony of Connecticut in New England in America holden at New Haven in said Colony on the second Thursday of October, (being the [tenth] day of said month) and continued by several adjournments until the [ ] day of [ ] annoque Domini 1765.

Present:

The Honorable Thomas Fitch, Esq^{r}, *Governor.*
The Honorable William Pitkin, Esq^{r}, *Deputy Governor.*

Ebenezer Silliman, Esq^{r},	Mathew Griswold, Esq^{r},	*Assistants.*
Jonathan Trumble, Esq^{r},	Shubael Conant, Esq^{r},	
Hezekiah Huntington, Esq^{r},	Elisha Sheldon, Esq^{r},	
John Chester, Esq^{r},	Eliphalet Dyer, Esq^{r},	
Benjamin Hall, Esq^{r},	Jabez Huntington, Esq^{r},	
Jabez Hamlin, Esq^{r},		

Representatives or Deputies who attended this Assembly are as follow, viz:

Colo. William Pitkin, Colo. Samuel Talcott, for Hartford.
Mr. Roger Sherman, Mr. Samuel Bishop, for Newhaven.
Mr. William Hilhouse, Mr. Richard Law, for New London.
Capt. David Burr, Mr. Nathan Bulkley, for Fairfield.
Maj^{r} Jedidiah Elderkin, Mr. Ebenezer Devotion, for Windham.
Colo. Ebenezer Marsh, Capt. Isaac Baldwin, for Litchfield.
Mr. Isaac Tracey, Mr. William Morgan, for Norwich.
Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.
Capt. Samuel Danielson, Mr. Jacob Dresser, for Killingly.
Mr. Jonathan Wells, Maj^{r} Elizur Talcott, for Glastonbury.
Capt. Joseph Denison, Mr. Paul Wheeler, for Stonington.
Capt. Henry Glover, Mr. Oliver Tousey, for Newtown.
Capt. Zebulon West, Mr. Elijah Chapman, for Tolland.
Capt. Mathew Gillet, Capt. Abel Merrels, for New Hartford.
Capt. Abijah Catlin, Capt. Joel Catlin, for Harwinton.
Capt. Dudley Wright, Capt. Henry Champion, for Colchester.
Mr. Cyrus Marsh, Mr. Ephraim Hubbel, for Kent.
Capt. John Case, Mr. Hez^{h} Humphrey, for Symsbury.
Mr. Nathaniel Hill, Mr. Nathaniel Ruggles, for Guilford.
Capt. Nehemiah Lyon, Mr. Ebenezer Smith, for Woodstock.
Capt. Jabez Fitch, Mr. Samuel Huntington, for Canterbury.
Mr. Bushnel Bostwick, Mr. Partridge Thatcher, for New Milford.

[170] Majr Ezekiel Pierce, Mr. Elisha Payne, for Plainfield.
Capt. Jedidiah Fay, Capt. Benjamin Clark, for Ashford.
Capt. Abel Gun, Mr. Joseph Hull, for Derby.
Mr. Joseph Hopkins, Capt. Stephen Upson, for Waterbury.
Mr. Thomas Russel, Mr. Joshua Pierce, for Cornwal.
Capt. William Wittar, Mr. Nathaniel Brown, for Preston.
Mr. Phineas Strong, Mr. Ephraim Root, for Coventry.
Mr. Emory Pease, for Somers.
Mr. William Noyes, Mr. Saml Holden Parsons, for Lyme.
Colo. Samuel Willard, Capt. John Shipman, for Saybrook.
Mr. William Williams, Capt. Joshua West, for Lebanon.
Mr. John Gordon, Mr. Moses Kinney, for Voluntown.
Capt. James Wadsworth, Capt. Ebenezr Guernsey, for Durham.
Mr. Daniel Sherman, Capt. Increase Moseley, for Woodbury.
Capt. Elisha Williams, Capt. Thoˢ. Belding, for Weathersfield.
Mr. Daniel Brainerd, for East Haddam.
Capt. James Landon, Capt. Samuel Moore, for Salisbury.
Capt. John Strong, for Farmington.
Capt. Wm. Saml Johnson, Mr. Joseph Curtiss, for Stratford.
Mr. Samuel Baker, for Brandford.
Mr. John Cook, for Torrington.
Mr. Saml Dickingson, Capt. Daniel Taylor junr, for Danbury.
Mr. Ephraim Strong, Capt. John Fowler, for Milford.
Capt. Abner Barker, Mr. John Weston, for Wellington.
Mr. James Bebee, Capt. Isaac Lawrence, for Canaan.
Capt. Joseph Olmstead, Mr. Edward Collins, for Enfield.
Mr. Stephen Smith, for Ridgefield.
Capt. Thomas Selden, for Haddam.
Capt. Thomas Pitkin, Capt. Benja. Talcott, for Bolton.
Capt. Samuel Kent, Mr. William King, for Suffield.
Capt. Moses Lyman, Capt. Samuel Nash, for Goshen.
Mr. Thomas Fitch jr, Mr. Joseph Platt, for Norwalk.
Capt. Moses Fish, Capt. William Williams, for Groton.
Capt. Samuel Gilbert, Mr. John Phelps, for Hebron.
Majr Elihu Hall, Capt. Samuel Hull, for Wallingford.
Colo. Ebenezer Williams, Mr. Joseph Scarborough, for Pomfret.
Mr. Seth Wetmore, Mr. Richard Alsop, for Midletown.
Mr. William Wolcott, Mr. Alexander Wolcott, for Windsor.
Capt. Eleazer Hubbel, Capt. Elnathan Hall, for New Fairfield.
Mr. Nathan Johnson, for Stafford.
Capt. Caleb Jewet, for Sharon.
Mr. Benja. Gale, Capt. John Pierson, for Killingworth.

Capt. Jabez Sherwood, Capt. Messenger Palmer, for Greenwich.

Mr. Benja. Champlin, Mr. Jonathan Gurley, for Mansfield.

Mr. Abraham Davenport, Speaker } of the House of
Colo. William Pitkin, Clerk } Representatives.

An Act for the Alteration of one Paragraph of a Law of this Colony entituled An Act for the Admission of Inhabitants in Towns, and for the preventing of Charge on Account of such as are not admitted therein.

Whereas the penalty of ten shillings per week provided in and by the third paragraph of said act is by said act made payable to the treasurer of the town whereto the person or persons incurring the same do belong, which application of said penalty is found not to answer the declared intention of said act: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the [171] *same,* ‖ That for the future the said penalty of ten shillings per week shall be paid to the treasurer of the town where the person or persons on whose account the same may be incurred shall be so entertained, hired &c., as in said act is expressed; any law or usage to the contrary notwithstanding.

An Act in Addition to a Law of this Colony intituled An Act for the Preservation and Increase of Deer &c.

Whereas in and by said act it is enacted that if any person or persons convicted of the breach of the first paragraph of said act shall be unable to satisfie the judgment, such offender shall be by the Assistant or justice of the peace, before whom the offender is convicted, put to and assigned in service to the complainer or some other meet person, for the space of fifty days, for answering the said judgment, which limitation is found to be inconvenient: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That for the future when any person shall be convicted of the breach of the first paragraph of said act, and shall neglect or refuse to pay and satisfie the judgment, in such case the Assistant or justice before whom the conviction is may bind the offender in service for a term not exceeding four months, or grant execution on such judgment to levy the fine and cost of prosecution by distress and sale of the offender's goods, or commit such offender to prison, there to remain until he satisfie such judgment.

This Assembly appoints Mathew Griswold, Esq^{r}, one of the Judges of the Superior Court in this Colony until the rising of the Assembly in May next.

This Assembly do appoint Roger Sherman a Justice of the Quorum in the county of New Haven until the first day of June next.

This Assembly do appoint Messrs. Richard Law and Nathaniel Shaw Justices of the Peace for the county of New London until the first day of June next.

The Gentlemen nominated by the Votes of the Freemen of this Colony to stand for Election in May next are as follow, viz:

The Hon^{ble} Thomas Fitch, Esq^{r}.

The Hon^{ble} William Pitkin, Esq^{r}.

Ebenezer Silliman, Esq^{r}.	Eliphalet Dyer, Esq^{r}.
Jonathan Trumble, Esq^{r}.	Jabez Huntington, Esq^{r}.
Hez^{h} Huntington, Esq^{r}.	Colo. William Pitkin.
John Chester, Esq^{r}.	Mr. Roger Sherman.
Benjamin Hall, Esq^{r}.	Colo. Robert Walker.
Jabez Hamlin, Esq^{r}.	Mr. Abraham Davenport.
Math^{w} Griswold, Esq^{r}.	Mr. David Rowland.
Shubael Conant, Esq^{r}.	Capt. W^{m} Sam^{l} Johnson.
Elisha Sheldon, Esq^{r}.	Colo. Joseph Spencer.

This Assembly do establish Mr. Daniel Denison to be Captain of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Nathaniel Gallop to be Lieutenant of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Elisha Williams to be Ensign of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Joseph Pratt jun^{r}, to be Lieutenant of the first company or trainband in the town of Kent, in the 13th regiment in this Colony.

This Assembly do establish Mr. Elisha Swift to be Ensign of the first company or trainband in the town of Kent, in the 13th regiment in this Colony.

[172] This Assembly do establish Mr. Samuel Reynolds to be Captain of the east company or trainband in the parish of Westborough in the town of Waterbury.

This Assembly do establish Mr. Joseph Brooks to be Captain of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Phineas Brainerd to be Lieutenant of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Clark to be Ensign of the 11th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Isaac Tubbs to be Ensign of the 2d company or trainband in the town of Lyme in the 3d regiment in this Colony.

This Assembly do establish Mr. Asa Avery to be Captain of the 5th company or trainband in the town of Groton.

This Assembly do establish Mr. Thomas Fanning to be Lieutenant of the 5th company or trainband in the town of Groton.

This Assembly do establish Mr. Oliver Spicer to be Ensign of the 5th company or trainband in the town of Groton.

This Assembly do establish Mr. Enoch Lord to be Lieutenant of the 3d company or trainband in the town of Lyme.

This Assembly do establish Mr. Jonathan Gillet to be Ensign of the 3d company or trainband in the town of Lyme.

This Assembly do establish and confirm Mr. Nehemiah Gaylord to be Lieutenant of the second company or trainband in the town of Torrington.

This Assembly do establish Mr. John Birge to be Ensign of the 2d company or trainband in the town of Torrington.

This Assembly do establish Mr. Benjamin Bills to be Ensign of the company or trainband at the society of Wilton in the 9th regiment in this Colony.

This Assembly do establish Mr. John French to be Captain of the company or trainband in the society of North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Abraham Brinsmead to be Lieutenant of the company or trainband in North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Robert Hawley to be Ensign of the company or trainband in North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. James Scott to be Captain of the first company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Ebenezer Jones to be Lieutenant of the first company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Jonah Smith to be Ensign of the first company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Elisha Alverd to be Lieutenant of the company or trainband in Greenfield in the fourth regiment in this Colony.

This Assembly do establish Mr. Gershom Hubbel to be Ensign of the company or trainband in Greenfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Ephraim Pease to be Captain of the first company or trainband in the town of Enfield.

This Assembly do establish Mr. Thomas Parsons to be Lieutenant of the first company or trainband in the town of Enfield.

This Assembly do establish Mr. Benjamin Isaacs to be Lieutenant of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. James Harper to be Ensign of the 7th company or trainband in the town of Windsor.

[73] This Assembly do establish Mr. Joshua Brainerd to be Captain of the 8th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Thomas Fuller to be Lieutenant of the 8th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Annibal to be Ensign of the 8th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joseph Brewster jun^{r} to be Lieutenant of the 5th company or trainband in the town of Norwich.

This Assembly do establish Mr. Jabez Wight jun^{r} to be Ensign of the 5th company or trainband in the town of Norwich.

This Assembly do establish Mr. Isaac Clark to be Captain of the 2d company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Benjamin Bull to be Lieutenant of the second company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Isaac Smith to be Ensign of the second company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Hezekiah Lord to be Captain of the 3d company or trainband in the town of Preston.

This Assembly do establish Mr. William Belcher to be Lieutenant of the 3d company or trainband in the town of Preston.

This Assembly do establish Mr. Benjamin Coit to be Ensign of the 3d company or trainband in the town of Preston.

This Assembly do establish Mr. Zabdiel Rogers to be Captain of the 11th company or trainband in the town of Norwich.

This Assembly do establish Mr. Uriah Rogers to be Lieu-

tenant of the 11th company or trainband in the town of Norwich.

This Assembly do establish Mr. Isaac Tracey junr to be Ensign of the 11th company or trainband in the town of Norwich.

This Assembly do establish Mr. David Wakely to be Captain of the company or trainband in New Fairfield south society, in the 4th regiment in this Colony.

This Assembly do establish Mr. Zacheus Brush to be Lieutenant of the company or trainband in New Fairfield south society, in the 4th regiment in this Colony.

This Assembly do establish Mr. Alexander Fairchild to be Ensign of the company or trainband in New Fairfield south society, in the 4th regiment in this Colony.

This Assembly do establish Mr. Daniel Ingham to be Captain of the 15th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Josiah Mack junr to be Lieutenant of the 15th company or trainband in the 12th regiment in this Colony.

This Assembly do establish and confirm Mr. Jedidiah Post to be Ensign of the 15th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Jedidiah Perkins to be Captain of the 7th company or trainband in Norwich, in the 3d regiment in this Colony.

This Assembly do establish Mr. Nathan Hutchins to be Lieutenant of the 7th company or trainband in Norwich, in the 3d regiment in this Colony.

This Assembly do establish Mr. Joseph Ayers to be Ensign of the 7th company or trainband in Norwich, in the 3d regiment in this Colony.

This Assembly do appoint Abraham Bradley of Litchfield Surveyor of Lands for the county of Litchfield.

This Assembly do appoint Messrs. Nathaniel Webb of Windham and Ephraim Carpenter of Lebanon to be Surveyors of Lands in the county of Windham.

Whereas this Assembly at their sessions in May last, on the report of their committee appointed to consider, prepare and draw instructions for surveying and drawing a plan of this Colony, resolved that his Honour the Governor should be de- [174] sired to improve Messrs. Asa Spalding of Norwalk, ‖ Moses Park and Samuel Mott, of Preston, to survey, measure and make a Plan of this Colony &c., and that in case it should be needful the said surveyors should give notice to the Repre-

sentatives of any towns where the course and distance of any line should be needed, that they might, in the cheapest and easiest manner, get the course and distance of said lines so needed and send the same to one or other of said surveyors; and whereas no special provision hath been made for the payment of the charge said Representatives should be at in getting the course and distance of said lines: Therefore, it is resolved by this Assembly, that the several Representatives that have been or shall be so applied to by said surveyors and that have or shall perform said service shall be paid out of the town treasuries of the several towns where they respectively belong, their accounts being first exhibited to and allowed by the selectmen, or the major part of them, of said several towns, who are hereby authorized to receive, examine and adjust said accounts and give orders on the several treasurers for the payment of such sum as shall be by them allowed.

Whereas the General Assembly of this Colony held at Hartford on the 2d Thursday of May last, upon the memorial of Timothy Rose and others, appointed John Fowler, Esq^{r}, Messrs. Stephen Upson jun^{r} and Joseph Hull jun^{r}, a committee to lay out a highway from the court-house in New Haven through the society of Oxford to the meeting-house in the society of Southberry in Woodberry, and to mark out and bound the same by some notable and durable monuments in all those places where it is needful to alter or vary from the highways already laid out &c., and make return of their doings to this Assembly in the present session: but said committee not having opportunity to compleat said service so as to make return agreeable to said direction, and the said John Fowler, Esq^{r}, being desirous to be excused therefrom: It is resolved by this Assembly, that Joseph Hopkins, Esq^{r}, of Waterbury, and the said Stephen Upson and Joseph Hull be and they are hereby appointed and impowered to perform said service agreeable to the directions of the resolve of the General Assembly in that case made and passed in May last, and make return of their doings therein to the General Assembly to be holden at Hartford in May next.

Upon the representation made to this Assembly by Increase Moseley, Bushnel Bostwick and Isaac Baldwin, Esq^{rs}, that one Abner Chandler is lately appointed administrator upon the estate of William Tanner late of Cornwal in the county of Litchfield, deceased, and that they have not had time to accompt with said administrator with relation to said Tanner's management in the Ousatunnuck River Lottery &c.: It is thereupon resolved by this Assembly, that the said Increase

Moseley, Bushnel Bostwick and Isaac Baldwin, Esq^rs, be further appointed to proceed in their enquiry into the affairs of said lottery, agreeable to instructions formerly given them by this Assembly, and as soon as they can settle the affair of said lottery, and make their report to this Assembly.

Whereas at the special Assembly holden at Hartford in September last Eliphalet Dyer, William Samuel Johnson and David Rowland, Esq^rs, were appointed Commissioners on behalf of this Colony to join a proposed Congress at New York, for the purpose of conferring upon a general and united humble, loyal and dutiful representation to his Majesty &c., of the present circumstances of the Colonies and the difficulties to which they are and must be reduced by the operation of the act of Parliament for laying duties and taxes on the Colonies, and to report their doings with the doings of the Commissioners at such Congress to this Assembly for acceptance and approbation: And whereas the said Commissioners have, pursuant to their aforesaid instructions, presented to this Assembly three several petitions: one to the King's Most Excellent Majesty, one to the Right Honorable the Lords Spiritual and Temporal of Great Britain in Parliament assembled, the other to the Honorable Knights, Citizens and Burgesses in Great Britain in Parliament assembled, made at said Congress and signed by Commissioners from several of the Colonies on this continent, for the acceptance and approbation of this Assembly: The same being taken into consideration, this Assembly do accept and approve of said petitions, and hereby authorize and desire the said Commissioners by said special Assembly appointed as aforesaid, to sign said petitions for and in behalf of this Colony. And this Assembly do desire his Honour the Governor to forward said petitions to Great Britain, (in order that they may be duly presented,) together with a proper certificate of the appointment of said Commissioners and the doings of this Assembly thereon.

Sir: The Committees of the several Colonies lately appointed to meet at New York, to consider of the present unhappy circumstances of the Colonies, having agreed upon petitions to his Majesty and both Houses of Parliament, for relief from the grievances they at present labour under, which have been approved by the General Assembly of this Colony, [175] and it being a subject of the last importance to us, ‖ you are desired to prefer those petitions, and to support them with your utmost influence, skill and ability, and leave no probable means unattempted to secure success in so interesting a matter.

The Colony being most firmly persuaded that the power lately exercised by Parliament of imposing taxes on the Colonies without their consent, and extending the jurisdiction of the court of admiralty beyond its ancient limits is inconsistent with the principles and spirit of the British constitution, and an infringement of the essential liberties of the colonists, we can by no means be content that you should give up the matter of right, but must beg you would on all proper occasions claim and firmly insist upon the exclusive right of the Colonies to tax themselves, and the priviledge of tryal by jury, and to maintain these principles in the most effectual manner possible, as what we can never recede from. The arguments from inconvenience and the fatal consequences, both to Great Britain and her Colonies, which must flow from this exercise of parliamentary power, are obvious, and will no doubt be also fully insisted upon by you.

You will give a proper attention to all such arguments, hints and materials as may be furnished you by his Honour the Governor, or which you may be able to collect from any other quarter, and make the best use you can of them to place the rights of the Colonies and the inconveniencies of a parliamentary taxation in the most striking point of light.

You are also desired to correspond with the agents appointed by the other Colonies, and unite your utmost endeavours with them in the common cause, for obtaining a repeal of the late acts of Parliament, so grievous to the Colonies.

We request your closest attention to this most important subject, and shall ever retain the most grateful sense of your assiduity and diligence upon this occasion, and wish you all the success that so just a cause fairly demands.

To Richard Jackson, Esq^{r}, Agent
for the Colony of Connecticut.

The House of Representatives of his Majesty's Colony of Connecticut in New England, in General Court assembled, taking into their serious consideration that an act of the Parliament of Great Britain has been lately past, for granting and applying certain stamp-duties &c. in the British Colonies and Plantations in America, find ourselves distressed with the most alarming apprehensions, when we observe that grand legislature to entertain sentiments so different from ours respecting what we ever reckoned among our most important and essential rights as Englishmen. The constitution of the British government we esteem the happiest in the world,

founded on maxims of consummate wisdom, and in the best manner calculated to secure the prerogatives of the crown while it maintains the just rights and liberties of the subject. By virtue of which constitution and the royal grant and charter of his Majesty King Charles the second, the inhabitants of this Colony have enjoyed great and inestimable liberties and priviledges, of a civil and religious nature, for more than a century past, and more especially under the auspicious government of the illustrious House of Hanover. That royal house have ever held sacred and inviolable those rights and priviledges of their loyal subjects in this Colony, derived to them as aforesaid. In return for which the princes of that exalted line have ever had from this people their ardent desires of all happiness to their persons and glory to their empire. Inspired with the warmest sentiments of affectionate loyalty and duty, the colonists have been ever ready to sacrifice their lives and fortunes to the service of their King and country; and believing that his Majesty's interest in this Colony cannot be more firmly established and perfectly secured, nor the happiness of the British nation more effectually promoted by us, than in our full possession and continued enjoyment of the rights and priviledges of the British constitution, which we have not forfeited, but ought to hold as Englishmen, and which are, if possible, rendered more sacred and indefeasible by the royal grant and charter aforesaid, which we conceive to stand upon the same basis with the grand charters and fountains of English liberty. And as the aforesaid act tends, (as we conceive,) to deprive us of the most interesting, important and essential of those rights, which we hold most [176] dear and cannot || on any possible considerations be induced willingly to part with, we are, therefore, filled with the most sensible grief and concern, and think it a duty we owe to his Majesty, to the Nation, to Ourselves and to Posterity, to express and declare the sense we have respecting the rights and priviledges which we may justly claim, and humbly hope to enjoy under his Majesty's gracious protection and government; and do therefore declare and make it known in the following Declarations and Resolves.

1. In the first place, we do most expressly declare, recognize and acknowledge his Majesty King George the third to be lawful and rightful King of Great Britain and all other the dominions and countries thereto belonging, and that it is the indispensible duty of the people of this Colony, as being part of his Majesty's dominions, always to bear faithful and true allegiance to his Majesty, and him to defend to the utmost

of their power against all attempts against his person, crown and dignity.

2. That this Colony, or the greatest part thereof, was purchased and obtained for great and valuable considerations, and some other part thereof gained by conquest, with much difficulty, and at the only endeavours, expences and charges of our forefathers; and that thereby considerable addition was made to his Majesty's dominions and interest; and that in consideration of such purchase &c., as aforesaid, his Majesty King Charles the second in the fourteenth year of his reign did for himself, his heirs and successors, ordain, declare and grant, unto the Governor and Company of this Colony and their successors, that all and every of the subjects of him, his heirs and successors, which should go to inhabit within the said Colony, and every of their children, which should be born there or on the sea in going thither or returning from thence, should have and enjoy all liberties and immunities of free and natural subjects within any of the dominions of the said King, his heirs or successors, to all intents, constructions and purposes whatsoever, as if they and every of them were born within the realm of England.

3. That the free natural subjects of Great Britain born within the realm of England have a property in their own estate, and are to be taxed only by their own consent, given in person or by their representatives, and are not to be disseized of their liberties or free customs, sentenced or condemned, but by lawful judgment of their peers; and that the said rights and immunities were granted to and conferred on the inhabitants of this Colony by the royal grant and charter aforesaid, and therefore are their rights, to all intents, constructions and purposes whatsoever.

4. That the consent of the inhabitants of this Colony was not given to the said act of Parliament, personally or by representation, actual or virtual, in any sense or degree that at all comports with the true intendment, spirit, or equitable construction of the British constitution.

5. That his Majesty's liege subjects of this Colony have enjoyed the right and priviledge of being governed by their General Assembly in the article of taxing and internal police, agreeable to the powers and priviledges granted and contained in the royal charter aforesaid, for more than a century past; and that the same have never been forfeited or any way yielded up, but have been constantly recognized by the King and Parliament of Great Britain.

6. That, in the opinion of this House, an act for raising

money by duties or taxes differs from other acts of legislation, in that it is always considered as a free gift of the people made by their legal and elected representatives; and that we cannot conceive that the people of Great Britain, or their representatives, have right to dispose of our property.

7. That the only legal representatives of the inhabitants of this Colony are the persons they elect to serve as members of the General Assembly thereof.

8. That the vesting an authority in the courts of admiralty, as in said act is provided, to judge and determine in suits relating to the duties and forfeitures contained in said act, and other matters foreign to their accustomed and established jurisdiction, is in the opinion of this House highly dangerous to the liberties of his Majesty's American subjects, contrary to the great charter of English liberty, and destructive of one of their most darling rights, that of tryal by juries, which is justly esteemed one chief excellence of the British constitution and principal bulwark of English liberty.

[177] 9. That it is the opinion of this House, that the said act for granting and applying certain stamp-duties &c., as aforesaid, is unprecedented and unconstitutional.

10. That whenever his Majesty's service shall require the aid of the inhabitants of this Colony, the same fixed principles of loyalty, as well as self preservation, which have hitherto induced us fully to comply with his Majesty's requisitions, will, together with the deep sense we have of its being our indispensible duty, (in the opinion of this House,) ever hold us under the strongest obligations which can be given or desired, most cheerfully to grant his Majesty from time to time our further proportion of men and money for the defence, security, and other services of the British-American Dominions.

11. That we look upon the well-being and greatest security of this Colony to depend (under God) on our connections with Great Britain, which we ardently wish may continue to the latest posterity; and that it is the humble opinion of this House, that the constitution of this Colony being understood and practiced upon as it has been ever since it existed is the surest band of union, confidence and mutual prosperity of our mother country and us, and the best foundation on which to build the good of the whole, whether considered in a civil, military, or mercantile light; and of the truth of this opinion we are the more confident, as it is not founded on speculation only, but has been verified in fact, and by long experience found to produce, according to our extent and other circum-

stances, as many loyal, virtuous, industrious and well-governed subjects, as any part of his Majesty's dominions, and as truly zealous, and as warmly engaged to promote the best good and real glory of the grand whole, which constitutes the British Empire.

At a General Assembly holden at New Haven 2d Thursday of October, A.D. 1765.

In the House of Representatives: The foregoing Declarations and Resolves were voted and pass'd with great unanimity.* And it is further voted and desired by this House, that the same be entered on the records and remain in the files of the General Assembly of this Colony.

Test. WILLIAM WILLIAMS, Clerk.

In the Upper House: Consented that the foregoing Declaration and Resolves be entered on the records and remain in the files of the General Assembly of this Colony, according to the desire of the House of Representatives.

Test. GEORGE WYLLYS, Secretary.

Whereas the General Assembly of this Colony at their sessions in May last, upon the petition of James Richardson of Stonington representing to this Assembly that he had a controversy with Benjamin Bancroft of Suffield, relating to their book-accounts, charter of the sloop Gull, and also some goods and merchandize said to be received by said petitioner to sell for said Bancroft in the Havanna, in the year 1762, which controversie was referred to the arbitrament of Jonathan Trumble, Ebenezer Backus and Joseph Chew, Esq^rs, who awarded said petitioner to pay said Bancroft the sum of £467 10*s.* 0*d.* lawful money; that a recovery was had in favour of said Bancroft against said petitioner for the sum of £493 13*s.* 10*d.*; that upon an execution granted on said judgment, said petitioner was then held in prison &c.; further representing that since the time of giving said award said petitioner had found new evidence &c. material to the matters submitted &c.; praying for relief &c.: it was resolved, that John Chester and Jabez Hamlin, Esq^rs, and Mr. Jonathan Wells of Glastonbury, be appointed a committee to enquire and examine into all the matters submitted to said arbitrators as aforesaid, and to settle and adjust the same between said parties in equity, and make return of their doings to this Assembly at their present sessions: And whereas the aforesaid committee, on account of the absence of one of their wit-

* All the members of the Lower House concurred, except about five. *Ingersoll's Letters.* 45.

nesses proposed to be used by said Bancroft, at his request omitted to proceed and make their return to this Assembly at [178] their present sessions: ‖ and whereas said parties now appear and request that said committee might be reappointed to do the service aforesaid: It is thereupon resolved by this Assembly, that John Chester, Jabez Hamlin, Esq^{rs}, and Mr. Jonathan Wells of Glastonbury, be and they are hereby appointed a committee to enquire and examine into all the matters submitted to said arbitrators as aforesaid, and to settle and adjust the same between said parties in equity, and make return of their doings to this Assembly at their sessions in May next.

Upon the petition of Joseph Denison, Esq^{r}, of Stonington, representing to this Assembly that he recovered a final judgment before the adjourned county court held at New London on the first Tuesday of February, A.D. 1763, against Robert Allyn and Nathan Allyn, both of Groton in said county, for the sum of £204 4 8, lawful money, in the whole, debt and cost; that in order to respond said judgment he had by his original writ of attachment in said action attached two tracts of land in said Groton as the estate of the said Robert Allyn, but the said Robert had defeated the said Denison of one of the said tracts of land by giving back his deed thereof to the grantor unrecorded, and the said Robert had conveyed the other tract of land to one Park Allyn by deed executed and kept unrecorded until after the same land was attached by the petitioner; that said last mentioned deed was executed on no other consideration than only as a pledge to secure and indemnifie the said Park Allyn on account of his giving bail for the said Robert in three several actions commenced by the petitioner for his aforesaid debt and other debts due to him from said Robert; that said Park never suffered on account of his giving said bail, but was wholly acquitted therefrom; that said lands by the agreement of said Robert and Park Allyn ought to have been released to said Robert and holden by the petitioner to answer and satisfie his aforesaid final judgment, but contrary to said agreement and against right the said Robert and Park with one Joseph Allyn, combining and contriving wholly to defeat the petitioner of his said debt, the said Park hath executed a deed of said land to the said Joseph, and the said Joseph received the same with intent and design to defeat the petitioner of his said debt, and the said Joseph now holds said last-mentioned tract of land against the petitioner, who having levied his execution thereon hath wholly lost his said debt, and the estate of said Robert Allyn

is so held and concealed that none can be come at by the petitioner; and praying for relief &c., as per petition on file: Resolved by this Assembly, that Hezekiah Huntington, Shubael Conant and Joseph Spencer, Esq[rs], be and they are hereby appointed a committee to call before them the petitioner and the said Joseph Allyn and any evidences relative to the matters aforesaid, at such time and place as they shall appoint, and examine into the actions and transactions of the said Joseph Allyn relative to the matters contained in said petition and his receiving said deed and holding and transacting with the estate of said Robert, and all matters relative thereto, and make report to this Assembly at their sessions in May next of what they shall find, together with their opinion thereon.

Upon the petition of Ebenezer Benton, of Hartford in Hartford county, representing to this Assembly that the south society in said Hartford, sometime in A.D. 1756, voted and agreed to raise by way of tax on themselves the sum of about £200 0*s*. 0*d*. toward defraying the expences of finishing their meeting-house, and appointed Ebenezer Benton jun[r], the son of the petitioner, then being in full life, a collector to collect a part of said rate, and that the committee of said society soon after made out and delivered to said collector a rate-bill amounting to about the sum of £119 0*s*. 0*d*. being part of said £200 0*s*. 0*d*., and that said Ebenezer jun[r] proceeded forthwith to collect and pay into the hands of said committee about £27 0*s*. 0*d*., and that soon after great and unexpected difficulties arising in said society respecting the collecting said rate, and that thereupon said committee ordered said collector to cease any further collection of the residue of said rate until he should be ordered again to proceed, which was not done till sometime in A.D. 1760, when said committee anew ordered said collector to proceed to collect said rate, and that before he could have opportunity to do anything towards it he was by sickness disabled, and continued disabled from collecting said rate by his said sickness until his death, which happened sometime in A.D. 1764, and that said committee, said sickness notwithstanding, a little before the death of said collector took out a warrant of distress against said col-
[179] lector, for to compel him himself to pay the residue of said || rate, though he had been unable to collect any of it, and that the sheriff of said county, into whose hands said warrant had been delivered when said collector lay at the point of death, applied to him to demand the payment of the residue of said rate; the petitioner at that time being present, and being

thereat greatly grieved and hurt was out [of] compassion to his said distressed son, (who soon after dyed,) induced to satisfie the demand of said warrant, on being assured that he might have liberty to make use of said rate-bill to reimburse himself, and that he has collected on said rate-bill about the sum of £13 0*s*. 0*d*. only since that time, and that said society soon after appointed and authorized a new collector to collect in all the residue of said rate and to pay it to the society committee, althô they had been paid the whole of it before, and that the petitioner is thereby wronged by said society out of a large sum of money, and they absolutely refuse to do him right in the matter; thereupon praying that a committee may be appointed to enquire the matters in said petition complained of, and report make: Resolved by this Assembly, that Erastus Wolcott, Esq^r, Capt. Ebenezer Grant and Capt. Nathaniel Loomiss, all of Windsor, be and they are hereby appointed a committee to enquire into all the matters in said petition complained of, and to report what they find to this or the next General Assembly to be holden at Hartford in May next, with their opinion thereon.

Upon the petition of Benjamin Hide of Lyme, executor of the last will and testament of Colo. Stephen Lee late of New London, deceased, shewing to this Assembly that the debts due from the estate of said deceased, with charge of administration &c., allowed by the court of probate, surmount the personal estate of said deceased the sum of £134 4*s*. 10*d*. lawful money; that said deceased appointed John Lay 2d, Esq^r, said petitioner and John Brown Lee, joynt executors of his said last will and testament, with power to make sale of so much of the real estate of said deceased as should be necessary to pay said debts &c.; that said John Lay, Esq^r, refused said executorship, and that said John Brown Lee has at all times refused and still refuses to joyn in the sale of any of said lands or to accept or refuse the executorship of said will, by means whereof said petitioner has been and still is unable to make sale of any part of said lands, and is now committed to prison for a debt due from the estate of said deceased; praying that some suitable person may be appointed to make sale of so much of the lands of said deceased as shall be necessary to pay said debts &c., as per petition on file: Resolved by this Assembly, that Jeremiah Miller, Esq^r, of said New London, is hereby granted liberty and power to make sale of so much of the real estate of said deceased as shall be necessary to raise said sum of £134 4*s*. 10*d*. lawful money, with the incident charges arising on such sale, and that the avails thereof be

applied to the discharge of the debt for which said petitioner now stands committed. It is also further resolved by this Assembly, that liberty and power is hereby granted to said petitioner to make sale of so much of the real estate of said deceased as shall be sufficient to raise said sum of £134 4*s*. 10*d*. with the incident charges arising on such sale; taking the particular direction of the court of probate for the district of New London therein: upon condition that said Jeremiah Miller, Esq^{r}, shall for the space of one month next after the rising of this Assembly neglect to make sale of so much of the real estate of said deceased as shall be sufficient to raise said sum or secure the payment of said sum of 134 4*s*. 10*d*. to be paid towards the discharge of the said debt for which said petitioner now stands committed, as aforesaid.

Upon the petition of Mortimer Stoddard of Groton, representing to this Assembly that with the advice and consent of the selectmen of said Groton he purchased of Daniel Edwards of said Groton about 46 acres of land in said Groton, for which he, said petitioner, gave to said selectmen for the use of said Edwards a note payable for £80 0*s*. 0*d*. and also for the further consideration paid sundry charges and discounted debts, in the whole to the amount of £70 0*s*. 0*d*. lawful money; that on account of some undue threatening, &c., attending the executing the deed given of said land, said deed has been adjudged void, and said petitioner is unable to hold said land &c.; praying for relief respecting the consideration paid as aforesaid &c., as per petition on file: Resolved by this Assembly, that said note given for £80 0*s*. 0*d*. be given up to said petitioner, and that Hez^{h} Huntington, Esq^{r}, Shubael Conant, Esq^{r}, of Mansfield, and Joseph Spencer, Esq^{r}, of East Haddam, be and they are hereby appointed a committee to take into consideration the original debt mentioned in said petition, with the costs and charges thereon arisen, and examine and consider all matters relative thereto, and on the premises to make report to this Assembly at their sessions in May next, with their opinion thereon.

[180] Upon the petition of Jacob Bull and Thomas Bull, of Kent, against the Reverend Ebenezer White of Danbury, shewing to this Assembly that by a deed in nature of a mortgage, dated July 2, 1762, for the consideration and sum of £101 17*s*. 7*d*. lawful money, received of said Ebenezer White, they made over and conveyed to him, his heirs &c., a certain farm of land containing about one hundred acres, situate in Kent aforesaid, being the same farm that Joseph Washborne and Benjamin Witter bought of Stephen Fairchild of said Kent, and which the said Ebenezer White was bound by a certain

counter-bond to reconvey to the petitioners upon their paying to him the said sum with the interest at or before the first day of July, 1763; further shewing, that the petitioners not having paid the whole of said monies, the said Ebenezer White hath instituted a suit in the law for the recovery of the said land; praying to have liberty to redeem the said premises, paying the remaining borrowed monies yet due and charges, as by the petition on file: Resolved by this Assembly, that upon the petitioners paying to the petitionee the sum of £118 16*s.* 5½*d.* lawful money, within one month from the 17th day of instant October, together with the lawful interest of that sum from said 17th day until the said sum shall be paid, and the sum of £1 16*s.* 4*d.* lawful money, for the petitionee's cost at this Assembly, the petitionee, the said Ebenezer White, is hereby ordered by proper deed to reconvey to the petitioners the farm of land aforesaid, on the penalty of forfeiting the sum of four hundred pounds, lawful money. *Ex. granted for the cost aforesaid October* 31*st*, 1765.

Upon the petition of Jabez Hall, of New Fairfield in Fairfield county, representing to this Assembly that Nathan Hurlburt, of Sharon in Litchfield county, brought his action against him on note to the county court held in Litchfield in Litchfield county by adjournment on the 1st Tuesday of January, 1764, demanding £28 0*s.* 0*d.* damages, and that said action is now depending in the superior court to be held in said Litchfield county; said Hall complaining that by force of certain agreements made and entered into by said Hurlburt and Hall said note ought not to have been put in suit against him, as by said petition on file may more fully appear: Resolved by this Assembly, that said petition be referred to the General Assembly to be holden at Hartford on the 2d Thursday of May next, for consideration, and that the action on the note referred to in the petition, now depending in the superior court for tryal, be suspended till the rising of said Assembly in May next.

Upon the petition of Hannah Clark and Sheldon Clark, executors of the last will and testament of William Clark late of Derby, deceased, representing to this Assembly that sometime in September, A. D. 1761, it was agreed conditionally between Enos Allyn and Thomas Howel, merchants in company, and the said William Clark, that the said Clark should purchase of the said Alling and Howel a quantity of salt, which they then had stored in a warehouse in said Derby, if they could not otherwise dispose of the same, and that about the 25th day of December, 1761, at the instance and upon the

proposal of the said Alling, the said agreement and bargain was relinquished and mutually released by the said parties to each other, and that sometime in February or March following the whole of said salt was washed out of said store by a flood, and totally destroyed and lost, and that the said Alling and Howel having sometime after commenced a suit at law against said Clark, demanding payment for said salt, the matter was submitted to the arbitrament of arbitrators, who awarded that the said Clark should pay half the value of said salt, for which he then gave his note to the said Alling and Howel, upon which note judgment has since been recovered in law against the petitioners, and that the said Clark at the time of giving said note was indisposed and incapable of recollecting the evidence of said release, and consequently could not produce it before said arbitrators, but that since that time the petitioners have found sufficient evidence to prove and establish that point; thereupon praying that a committee may be appointed to enquire into the matters complained of and report make, as by said petition on file may more fully appear: Resolved by this Assembly, that Messrs. Roger Sherman, Samuel Bishop jun^{r}, both of New Haven, and Mr. Daniel Bennet of Stratford, be and they are hereby appointed a committee with full power to enquire into all the matters complained of in said petition, and make report of what they find with their opinion thereon to this or the next General Assembly to be holden at Hartford in May next.

Upon the petition of Elisha Bigelow of Hartford, against John Benton and Elizabeth his wife, and Samuel Farnsworth, all of said Hartford, shewing to this Assembly that the said John Benton in right of his said wife had wrongfully obtained [181] an allowance of certain || debts due from the estate of Josiah Bigelow late of said Hartford, deceased, of whose last will the said Elizabeth is executrix, the said debts having been before carried in and allowed by the court of probate and lands sold to pay the same, and that the said John with his said wife having got the said debts so twice allowed had obtained an order of Assembly for selling some of the real estate of said Josiah, and in consequence thereof had sold to said Samuel Farnsworth a certain piece or parcel of said Josiah's estate, *viz:* a piece of meadow-land containing eight acres two roods and twenty-two rods, situate and lying in said Hartford, bounded and described as in a deed given thereof by said John and Elizabeth Benton to said Samuel Farnsworth, dated the 27th day of December, 1764, and recorded in said town of Hartford; further shewing that said

Benton had proceeded to make sale of said lands after being forbid and countermanded by the judge of probate, of all which the said Farnsworth had notice; also shewing that the order of said court of probate allowing said debts the last time hath been reversed and set aside by the superior court; praying to have said deed vacated and declared null and void, as by the petition on file: Resolved by this Assembly, and it is hereby ordered and decreed, that the aforesaid deed so obtained by said Samuel Farnsworth of said John Benton and Elizabeth his said wife is and shall be void and of no effect for the holding the land comprized and mentioned therein, nor shall the same be admitted or allowed to be given in evidence in any court for the making any title thereto.

Whereas Joseph Olcott, of Hartford in the county of Hartford, brought his petition to this Assembly at their sessions at Hartford in May last, representing that on or about the month of March, 1758, he was indebted and gave his note to Joseph Webb of Weathersfield, since deceased, for the sum of £400 0*s*. 0*d*. New York money, payable in September then next; that afterwards he paid to the said Joseph Webb on account of said note the sum of £100 0*s*. 0*d*. lawful money, which ought to have been endorsed thereon and never was done in his life time; that the said Webb brought his action on said note against said petitioner and recovered a judgment for the whole sum of said note and interest thereon, and had execution thereon, which the petitioner hath been obliged to suffer and pay with large sums for interest since, without any allowance for said £100 0*s*. 0*d*. paid as aforesaid; praying for relief, as per said petition on file: and Samuel Talcott and John Ledyard, Esq^rs, of said Hartford, were appointed a committee to examine into the matters referred to in said petition and report to this Assembly at their present sessions, and the said committee have not been able to make their report according to appointment: Whereupon this Assembly do reappoint the said Samuel Talcott and John Ledyard, Esq^rs, to enquire into the matters aforesaid, and make report of what they find in the premises and their opinion thereupon to this Assembly in their sessions at Hartford in May next. And the said petition is hereby continued to the sessions of this Assembly at Hartford in May next.

Upon the memorial of Tom Sherman and Eunice his wife, and Sarah Shoran, Indian natives of Poquannuck in the town of Stratford, preferred to this Assembly in October, 1763, against Richard Hall, Aaron Hawley, Gamaliel French, Joseph Booth, Ezra Kirtland, the Rev^d Robert Ross, Mary Burret, Elisha Bur-

ret, Daniel Morriss, John Burr jun^{r}, Samuel Porter and Sarah Booth, widow of Joseph Booth, deceased, representing and complaining that they had been dispossessed of their land at a place called Golden Hill, in said town, by the petitionees living on and near said lands, a committee being appointed in May last to enquire into said matters of complaint and to make report to this Assembly of what they should find in the premises, and they having now reported that, having fully enquired into the said matters and heard all parties upon the same, the Indians have declared their consent and willingness to possess and enjoy a certain piece or parcel of land called Nimrod Lot, containing about twelve acres, with the spring at the point of Golden Hill aforesaid, bounded westerly by an highway, eastwardly by Poquannuck River, northerly by Jabez Summers's land, and southerly by the cove and common land, also about eight acres of woodland at Rocky Hill, to be purchased for them by the petitionees, they also paying to them, the said Indians, thirty bushels of indian corn and three pounds worth of blankets; this to be in full of all demands and in full satisfaction of all claims of or to all and any lands there to be hereafter made by them or their successors, as by the report on file may more fully appear; to which the petitionees agreeing, the said report is accepted and approved: Whereupon it is resolved and ordered by this Assembly, that the said Indians shall possess and enjoy the said twelve acres together with said spring of water and said eight acres of land, when purchased as aforesaid, with the priviledges and appurtenances, free and undisturbed to them and their posterity, in the same manner and subject to the [182] same limitations as said twelve ‖ acres were holden together with other lands by act of Assembly in May, 1659; the petitionees purchasing for said Indians the said eight acres of woodland and paying to them said thirty bushels of indian corn and three pounds worth of blankets, to the acceptance of Thomas Hill, Esq^{r}, the said Indians' guardian, on or before the first day of January next after the rising of this Assembly; in which case the said petitionees, their heirs and assigns, to be and remain quieted in the peaceable enjoyment of said residue of said lands from all and any claim of said Indians. And it is further resolved, that the petitionees pay to the said Thomas Hill, Esq^{r}, to be to and for the use of the petitioners, in order to defray their charges in prosecuting this matter, the sum of £52 11 2, and that execution go forth accordingly. *Ex. granted October 31st*, 1765.

Upon the memorial of Samuel Dunham and Daniel Dun-

ham, both of Lebanon, administrators on the estate of the late Jonathan Newcomb of said Lebanon, deceased, and of Samuel Dunham, guardian to Joanna Newcomb and Ruba Newcomb, and of Deborah Newcomb, guardian to Alice, Deborah and Zilpah Newcomb, shewing that the said Jonathan Newcomb in his life time was possessed of four acres of land in Hebron in the county of Hartford in the society of Andover, through the lands runs a stream on which is a shop and fulling-mill, which said land, mill and shop he was desirous to sell, and being in a low and weak state of body, and in apprehensions of advantage to his health, took a voyage to Nova Scotia and appointed the said Samuel Dunham his attorney, which said Samuel with the said Deborah, then wife and now the widow and relict to said deceased, knowing his desire and mind that the said land, mill and shop should be sold, did on the 18th day of March, 1765, before the death of said Jonathan, bargain and agree to sell the same to one John Payne of Lebanon for the sum of fifty-five pounds, lawful money, and for compleating said bargain took security of said Payne for said sum and lodged in a third person's hand to hold to said bargain, and sent a deed ready drawn of said land, mill and shop to Nova Scotia, to be executed by said Jonathan, but before the same came to his hands to execute he, the said Jonathan, dyed there in the month of May last: that great part of the money will be wanted to pay the said Newcomb's debts; that the mill and shop lye in a perishing and decaying condition; that the land by itself is not worth more than forty shillings, lawful money, per acre; that the mill and shop will not be valuable at the time that the heirs come to age; praying that the said Samuel Dunham and Daniel Dunham, administrators on the estate of said deceased, may be authorized and impowered to compleat the said sale of said four acres of land, mill and shop &c., as by said memorial on file: Resolved by this Assembly, that the said Samuel Dunham and Daniel Dunham be and they are hereby authorized and impowered, to make and execute to him, the said John Payne, his heirs and assigns, a good and ample deed of conveyance of the said four acres of land, fulling-mill and shop, with the appurtenances thereof, to fulfill and accomplish the bargain aforesaid, and account for the said sum of fifty-five pounds, lawful money, to the court of probate in the district of Windham.

Upon the memorial of the inhabitants of the northwesterly and westerly parts of the town of Ashford in the county of Windham, praying to be made a distinct ecclesiastical society

with all the powers and priviledges of other societies in this Colony, with bounds and limits as follows, *viz:* To begin at the northwest corner bound of said Ashford, and from thence to run east seven degrees south in the line between Ashford and Union three miles and one hundred and thirty-five rods to a maple tree; from thence south five degrees and forty minutes west four miles wanting twelve rods to a black-oak tree on a hill, called Horse Hill; thence south twenty-five degrees west one mile and half and twelve rods, to a tree at the crotch of the river; thence west thirty-five degrees south one mile and half and twelve rods to a chestnut tree with stones about it on Bugbee's Hill; thence west seven degrees north two miles to a heap of stones near a white-oak tree in the line between Ashford and Wellington, being called the two-mile monument from Mansfield line; thence north seven degrees east, as the line between Ashford and Wellington, six miles and a half to the first-mentioned bounds: Resolved by this Assembly, that the inhabitants living or that shall hereafter dwell in the northwesterly and westerly parts of the township of Ashford in the county of Windham, and within the limits above described, be and they are hereby made and constituted one distinct ecclesiastical society, with all the priviledges and powers and immunities that other ecclesiastical societies in this Colony are vested with, and shall be known and called by the name of Westford.

Upon the memorial of Stephen Hopkins and others, inhabitants of the first society in Waterbury, representing that they [183] live at a great distance from the place of public worship || and [are] put to great inconvenience in attending the same in the winter season; praying for the priviledge of a winter-parish for four months in the year, *viz:* the months of December, January, February and March: Resolved by this Assembly, that the memorialists have and they have hereby granted to them the priviledge of a winter-parish for the term of three years from the rising of this Assembly, within the following bounds and limits, *viz:* beginning at a heap of stones at Long Lands, so called, on the east of the highway from Newhaven to Waterbury, and thence east to Wallingford line; thence continuing east so as to comprehend the first tier of lots in Wallingford bounds, and from thence south to New Haven bounds; from thence west to the three trees called the Three Brothers, and from thence south in the line between Milford and Newhaven to Lebanon Brook; from thence west to Naugatuck River, to where Spruce Brook empties into said river on the west side; from thence to the highway where it turns

south by Thomas Osborn's lot, to Derby; from thence to Meshadick Brook where Moss's Road crosses to Westbury, and from thence east to the first mentioned heap of stones, excluding all the land contained in said bounds belonging to the society of Oxford, and also excluding Samuel Porter and all land now belonging to him. And the memorialists living within said limits and bounds, excepting as aforesaid, have the priviledges usually belonging to winter parishes hereby granted for the term of three years, in the months of December, January, February and March; annually.

Upon the memorial of John Hall 2d and others, inhabitants of the society of Wells in Wallingford in Newhaven county, representing that the General Assembly of said Colony at their sessions at Hartford in May, 1763, appointed Jonathan Trumble, Esq^{r}, of Lebanon, Jabez Hamlin, Esq^{r}, of Midletown, and Capt. John Lawrence, of Hartford, a committee to enquire of the state and value of the old meeting-house in the first society in said Wallingford, and what in equity said society of Wells ought to have therefor, estimating such part according to the advantage thereof to said first society, and also what other temporal interest belongs to said first society, and also to enquire into the grievances complained of concerning the taxes, referred to in their memorial preferred to said Assembly in May, 1763, and that said committee did not make any report thereupon; praying for a reappointment of said committee, or that a new committee be appointed &c.: Resolved by this Assembly, that Jonathan Trumble, Esq^{r}, of Lebanon, Jabez Hamlin, Esq^{r}, of Midletown, and Capt. John Lawrence, of Hartford, be and they are hereby reappointed a committee to enquire of the state and value of the old meeting-house in the first society in said Wallingford, and what in equity said society of Wells ought to have therefor, estimating such part according to the advantages thereof to said first society, and also what other temporal interest belongs to said first society, and also to enquire into the grievances complained of concerning the taxes referred to in their memorial preferred to said Assembly in May, 1763, and to make report of what they shall find in the premises with their opinion thereon to this or the next Assembly.

Upon the memorial of Wait Hinman and others, inhabitants in the westerly and southwesterly parts of the parish of Southbury, representing to this Assembly that they live at a great distance from the place of public worship in said society, some living four and five miles, and others six and seven miles distant therefrom, and that they are put to great difficulty and

trouble to attend public worship where they now attend, and that they are about one third part of the list of estate in said parish of Southberry, which parish list is about £12000 0*s.* 0*d.*; thereupon praying that they may be made a distinct ecclesiastical society, with all liberties and priviledges which by law belong to such societies, and that they may be divided from said parish of Southberry by a line drawn from the north line of said parish of Southberry to the south line thereof, in such a direction as to pass straight by the houses of Stephen Brunson and Eldad King, so as to comprehend said houses, or in some other way grant relief to the memorialists, as by said memorial on file appears: Resolved by this Assembly, that Oliver Wolcott, Moses Lyman and Samuel Nash, Esq^rs^, be and they are hereby appointed a committee to repair to said parish of Southberry and to enquire into and examine and view the situation and circumstances of the memorialists, and all others living within the limits prayed for, and also the circumstances of said society of Southberry in regard to the memorialists being made into a distinct ecclesiastical society by the line prayed for or any other line, and their report make of what they find together with their opinion thereon to the General Assembly to be holden at Hartford in May next.

Upon the memorial of Eleazer Hubbel, Dan Towner, Ephraim Hubbel, and the rest of the inhabitants of New Fairfield, shewing to this Assembly that there is a grant of land within this Colony about two miles in length and about half a mile in width, lying on the west side of Ousatunnuck River adjoining west on New Fairfield east line, with three families living on [184] the same, ‖ that is annexed to no particular township nor said inhabitants held to pay Colony or town taxes &c.; praying that said grant of land with said inhabitants living thereon may be annexed to the town of New Fairfield &c., as per memorial on file: It is thereupon enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, that the aforesaid grant of land about two miles in length and about half a mile in width, adjoining to the east line of said New Fairfield, be and the same is hereby annexed to the township of New Fairfield and wholly included within the county of Fairfield and within the jurisdiction of the said town of New Fairfield; and that the inhabitants living on the aforesaid grant of land, hereby annexed as aforesaid, shall be intituled to all the priviledges and be liable to the duties and services of the other inhabitants of the said town of New Fairfield.

On the memorial of Jonathan Tuttle and Theophilus Tut-

tle, both of Wallingford, shewing to this Assembly that for about twelve years past they have constantly attended public worship in the first society in said Wallingford and paid all parochial taxes thereunto, that it now appears that a due south line by the needle of the surveying instrument from the southeast corner of Cook's farm, so called, will take them and part of their lands into the parish of New Cheshire; praying that they and their estates lying in said Wallingford may be annexed to said first society, as per their memorial on file appears: It is thereupon resolved, that said memorialists be and they are hereby, and their estates lying in said Wallingford, annexed to said first society in Wallingford and be deemed and accounted to belong thereto forever hereafter.

Upon the memorial of Humphry Avery, Esq^{r}, of Norwich in the county of New London, representing that in the year 1750, the General Assembly were graciously pleased to allow him to take out of the public treasury two thousand one hundred pounds in bills of the New Hampshire and Rhode Island Colonies on his securing the repayment of said sum in Connecticut bills at the end of two years free from interest; that before the expiration of said two years he collected a sufficient sum of said Hampshire and Rhode Island bills to discharge said bond, but as Connecticut bills were calling in about that time for consumption he was put to great difficulty in procuring said Connecticut bills and compelled to give ten or twelve *per cent.* allowance in exchange; that in November, 1754, he paid off the sum of said bond; that for the interest of the said bond from May, 1752, until said payment suit is pending against him; praying that on his paying the charges which have arisen in said suit he might be discharged and released from paying said interest money: Resolved by this Assembly, that on said Humphrey Avery's paying to Mathew Griswold, Esq^{r}, the costs which have arisen in said suit on said bond and the sum of twenty pounds, lawful money, that said bond be given up unto him, said Avery, and he be therefrom discharged.

On the memorial of the President and Fellows of Yale College in Newhaven, shewing that about four years ago they were under necessity to build a new hall or chapel for the accommodation of the students at morning and evening prayers and various scholastic exercises, which has already cost £953 11*s.* 8*d.* lawful money, of which £244 0*s.* 0*d.* have been paid by subscription and £382 0*s.* 0*d.* out of the college treasury, which is thereby exhausted, and a debt remains of £327 11*s.* 8*d.*, and therefore praying relief in the

present necessitous state of the college: Granted the sum of three hundred twenty-seven pounds eleven shillings and eight pence, lawful money, out of the public treasury of this Colony to said president and fellows; and the Treasurer of this Colony is hereby ordered to pay the same.

Upon the memorial of Samuel Kent of Suffield, administrator on the estate of Richard Austin late of Suffield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased and for which no certificate hath heretofore been granted surmount the moveable estate of said deceased the sum of £16 3 7, lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise said sum with necessary charges arising thereon: Resolved by this Assembly, that the said Samuel Kent, the memorialist, have liberty, and liberty and power is hereby granted to him, to sell so much of the real estate of said deceased as will raise said sum of £16 3*s*. 7*d*. lawful money, with the incident charges arising thereon; taking direction of the court of probate for the district of Hartford therein.

Upon the memorial of Jabez Brainerd, Abraham Brooks, and others of the first society in Haddam, shewing to this Assembly that on the memorial of said society to this Assembly held at Hartford on the 2d Thursday of May, 1764, praying for a committee to ascertain and affix a place whereon to build a meeting-house, the said Assembly did appoint and impower Elisha Williams, Esq^{r}, and Capt. Thomas Curtiss, both of Weathersfield, and Mr. Isaac Lee jun^{r}, of Farmington, to repair to said society and hear all concerned, and view &c., [185] ‖ and ascertain the place whereon said society should build a meeting-house, and make report &c.; which said committee did repair to said society and heard all concerned, and viewed said society and the circumstances thereof, and did make their report to this Assembly at their sessions at Newhaven in October last, and that the said committee did affix and ascertain a place whereon to build a meeting-house for divine worship, about eight or ten rods southward of the dwelling-house of the Rev^{d} Mr. Eleazer May, as by the records of this Assembly and the report of said committee appears: Resolved by this Assembly, that the place by the said committee ascertained and affixed, about eight or ten rods southward from said Mr. May's house, be and is by this Assembly confirmed and established to be the place for said society to build a meeting-house for divine worship.

Upon the memorial of Abner Kelsey, administrator on the

estate of George Chatfield late of Killingworth, deceased, representing to this Assembly that the debts and charges allowed by the court of probate for the district of Guilford against said estate surmount the inventoried moveable estate of said deceased the sum of £26 0*s.* 6*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as may be sufficient to pay said sum with incident charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the said memorialist have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate of said deceased as shall be sufficient to pay said sum of £26 0*s.* 6*d.* with incident charges arising on such sale; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of Samuel Watson and Sarah Town, administratrix on the estate [of] Archelaus Town late of Killingly, deceased, shewing to this Assembly that the said Archelaus deceased, in his life time, made and executed to the said Samuel Watson a deed of bargain and sale, dated April 22d, 1763, for the consideration therein mentioned, and that after the executing of said deed the said grantor dyed, *viz:* in May, 1763, before he had any opportunity of acknowledging said deed, by reason whereof the said deed could not be legally recorded, and praying this Assembly to order and enact that said deed might notwithstanding be accounted valid and good in law to all intents and purposes as thô the same had been duly acknowledged in the life time of said grantor, and that the town clerk of said town of Killingly be ordered and directed to record the same upon application made &c., as by said memorial on file may appear: Resolved by this Assembly, that said deed be accounted good and valid in law to all intents and purposes, as thô the same had been duly acknowledged in the life time of said grantor, and that said town clerk be hereby directed and ordered to record the same.

On the memorial of Mary Dresser, administratrix on the estate of Mr. Thomas Dresser late of Pomfret, deceased, shewing to this Assembly that the debts due from the said estate surmount the moveable or personal estate of said deceased the sum of £225 19*s.* 0*d.* lawful money: praying to this Assembly for liberty to make sale of so much of the real estate of said deceased as shall be sufficient to raise said sum of £225 19*s.* 0*d.*: Resolved by this Assembly, that liberty and authority be and the same is hereby granted unto the said Mary Dresser, to make sale of so much of the real estate of the said Thomas Dresser, deceased, as shall be sufficient to raise

said sum of £225 19*s.* 0*d.* lawful money, with incident charges arising on such sale; taking the direction of the court of probate for the district of Pomfret therein.

Upon the memorial of the inhabitants of the south society in the town of New Fairfield, shewing to this Assembly that said society are destitute of a settled minister of the gospel, and that their list is not more than £3500 0*s.* 0*d.* and great part of the best lands in said society are owned by non-resident proprietors, by means whereof and the former charges that they have been at in settling and supporting ministers, they are unable to raise money by a tax on their list sufficient to defray the charges of preaching the gospel in said society; therefore praying this Assembly to levy a tax on all the lands in said society, to be improved for the purpose of supporting the gospel ministry in said society agreeable to the constitution established by law in this Colony, as by their memorial on file more fully appears: Resolved by this Assembly, that there be a tax of one penny *per annum* per acre for three years next ensuing upon all the lands that are surveyed and laid out in said society, to be paid by the respective owners of such lands, to be improved for supporting a regular minister or candidate for the ministry authorized according to the ecclesiastical constitution established by law in this Colony to preach the gospel in said society: the first year's tax to be paid by the first day of April, 1766, the second by the first day of April, 1767, and the third by the first day of April, 1768. And Mr. Phineas Beardsley of said New Fairfield is hereby appointed and fully authorized to collect said tax and pay the same unto Daniel Smith, Alexander Fairchild and Nehemiah Beardslee, all of said New Fairfield, to be by them improved for the purposes abovementioned.

[186] Upon the memorial of Peter Hurlburt, executor of the last will and testament of John Buck late of Weathersfield, deceased, representing to this Assembly that the personal estate of said John Buck was not sufficient to pay his debts, and that the debts due from said estate, including the allowances made for the support of the infant child of said Buck, surmount the moveable estate of said John the sum of £19 18*s.* 8½*d.* lawful money; praying for liberty to sell so much of the real estate of said Buck as to raise said sum with the incident charges arising thereon: Resolved by this Assembly, that the said Peter Hurlburt, the memorialist, have liberty, and liberty is hereby granted to him, to sell so much of the real estate of which the said John Buck, deceased, [died] seized as to raise said sum of £19 18*s.* 8½*d.* lawful money, with

the incident charges arising thereon: taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of John Mills junr and Timothy Barns, administrators with the will annexed on the estate of Abraham Miller late of Farmington, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of the said deceased the sum of £26 17*s*. 10*d*. lawful money, and no provision made in said will to pay said debts, as by the certificate from the clerk of probates appears, and therefore praying for liberty to make sale of so much of the real estate of the deceased as will raise the said sum of £26 17*s*. 10*d*. with incident charges arising on the sale thereof, by the advice of the court of probate in the district of Hartford therein, as per memorial on file: Resolved by this Assembly, that the said John Mills junr and Timothy Barns have liberty, and liberty and authority is hereby given and granted to them, to sell and convey so much of the real estate of the said deceased as will be sufficient to pay and discharge the said sum of £26 17*s*. 10*d*. together with the incident charges arising on the sale thereof; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Sarah Mather, executrix of the last will and testament of Thomas Mather late of Boston in the county of Suffolk and Province of the Massachusets Bay, deceased, shewing to this Assembly that the debts due and the charges of administration on the estate of said deceased surmount the personal or moveable estate of the said deceased the sum of £152 3*s*. 11½*d*. lawful money, and that the real estate that the said deceased died seized of lyes within the Colony of Connecticut, *viz:* in Pomfret in the county of Windham; praying to this Assembly that the memorialist with the assistance of Mr. John Payson of Pomfret aforesaid may have liberty to make sale of so much of the real estate of the said deceased as shall be sufficient to raise said sum of £152 3*s*. 11½*d*.: Resolved by this Assembly, that the said Sarah Mather and John Payson have liberty, and liberty and authority is hereby granted unto them, to make sale of so much of the real estate of the said Thomas Mather, deceased, lying in said Pomfret, as shall be sufficient to raise the said sum of £152 3*s*. 11½*d*. with the incident charges arising on such sale; taking the advice of the court of probate in the district of Pomfret therein.

Upon the memorial of Abraham Chapman, administrator on the estate of Anne Chapman late of New London, deceased,

shewing to this Assembly that the debts due from said estate and allowed by the court of probate for the district of New London surmount the personal estate of said deceased the sum of £17 4*s*. 1*d*.; praying for liberty to sell so much of the real estate of said deceased as to raise said sum with the incident charges arising on said sale &c., as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby given him, to sell so much of the real estate of said deceased as will raise said sum of £17 4*s*. 1*d*. with the incident charges arising on said sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Samuel Atwater, administrator on the estate of Daniel Atwater, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, together with some allowances to the widow, surmount the moveable part of said estate the sum of £11 10*s*. 0*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charge of such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges of such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Sarah Kendal, administratrix on the estate of Mr. Joshua Kendal junr late of Ashford, deceased, shewing to this Assembly that the debts due from said estate surmount the personal or moveable estate of said deceased the sum of £49 13*s*. 7½*d*. lawful money; praying to this Assembly for liberty to make sale of so much real estate of said deceased as will be sufficient to raise said sum of £49 13*s*. 7½*d*.: [187] Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby given to the said memorialist, to make sale of so much of the real estate of the said deceased Joshua Kendal junr as shall be sufficient to raise said sum of £49 13*s*. 7½*d*. with the incident charges arising on such sale; taking the advice of the court of probate for the district of Pomfret therein.

Upon the memorial of Elizabeth Gates and Nathan Flynt, administrators on the estate of Daniel Cook junr late of Tolland, deceased, shewing to this Assembly that the debts, charges and allowances due from said estate surmount the personal estate of said deceased the sum of £9 18*s*. 0*d*. money;

praying for liberty to sell so much of the real estate of the said deceased as to raise said sum with the necessary incident charges arising on said sale, as per memorial on file: Resolved by this Assembly, that liberty be granted, and the said Nathan Flynt is hereby impowered, to sell so much of the real estate of the said deceased as to raise the said sum of £9 18 0, money, for the payment of the debts of the said deceased together with the necessary charges of sale; taking the direction of the court of probate in the district of Stafford therein.

Upon the memorial of Eunice Clark, administratrix on the estate of Jonathan Clark late of New Milford, deceased, shewing to this Assembly that the debts and charges due from the estate of the said deceased surmount the moveable estate of the said deceased the sum of £25 8 11, lawful money; praying to be impowered to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum with the incident charges of such sale: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to sell so much of the real estate of the said deceased as shall be sufficient to pay said sum of £25 8*s*. 11*d*. lawful money, with the incident charges of such sale; taking the direction of the court of probate for the district of Woodbury therein.

Upon the memorial of Elisha Frisbie of Brandford, executor of the last will and testament of Ebenezer Frisbie, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable part of said estate the sum of £316 1 3, lawful money, and that no provision is made in the last will of said deceased to discharge the same; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay said sum with the incident charges of such sale, as per memorial on file appears: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum together with the incident charge of such sale; taking the direction of the court of probate for the district of Guilford therein.

Upon the memorial of Sary Walkley and Asa Walkley, both of Haddam, administrators on the estate of Simeon Walkley, late of Haddam, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part thereof the sum of £54 13 6, lawful money, and thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialists have

liberty and they are hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £54 13 6 together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

On the memorial of John Forster junr of Midletown, administrator on the estate of John Forster 2d. late of Midletown, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part of said estate the sum of £106 13*s*. 7*d*., and thereupon praying for liberty to sell land &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £106 13*s*. 7*d*. together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Midletown therein.

On the memorial of Abraham Brooks, administrator on the estate of David Smith late of Haddam, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part thereof the sum of £14 10*s*. 5*d*. lawful money, and thereupon praying for liberty to sell lands &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £14 10 5 together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Midletown therein.

Upon the memorial of Abigail Humphrey, administratrix on the estate of Thomas Humphrey late of Windsor, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of said deceased the sum of £158 12*s*. 11*d*. 3*q*. lawful money, and therein praying for liberty to make sale of so much of the real estate of the said deceased as will raise the said sum of £158 12*s*. 11*d*. 3*q*. with [188] the incident charges || thereof by the advice of the court of probate in the district of Hartford therein, as per memorial on file: Resolved by this Assembly, that the said Abigail Humphrey have liberty, and liberty and authority is hereby given and granted unto her, to sell and convey so much of the real estate of the said deceased as will be sufficient to pay and discharge the said sum of £158 12*s*. 11¾*d*. together with the incident charges arising on the sale thereof; taking the advice and direction of the court of probate in the district of Hartford therein.

On the memorial of William Clark of Midletown, adminis-

trator on the estate of Ambrose Clark late of Midletown, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable part of said deceased's estate the sum of £91 9*s*. 2*d*., and thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £91 9*s*. 2*d*. together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

On the memorial of Daniel Pease, executor of the last will and testament of Ebenezer Jones late of Somers, deceased, shewing to this Assembly that the debts due from said estate and allowances made by the court of probate to the widow of the deceased surmount the personal estate of said deceased £26 0*s*. 2*d*. lawful money, and said testator hath made no provision by said last will to answer the same; praying for liberty to make sale of so much real estate of said deceased as will be sufficient thereunto: Resolved by this Assembly, that liberty and authority be and the same is hereby granted unto said Daniel Pease, to make sale of so much of the real estate of said deceased as shall be sufficient to raise said sum with incident charges arising thereon; taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Jonathan Hawley of Stratford, administrator on the estate of Joseph Nichols late of Stratford, deceased, representing to this Assembly that the debts and charges due from the estate of said deceased and allowed by the court of probate for the district of Fairfield, with some allowance for necessaries to the widow, surmount the moveable estate of said deceased the sum of £11 15*s*. 4¾*d*. lawful money; praying liberty to sell so much of the real estate of said deceased as shall pay said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of £11 15*s*. 4¾*d*. lawful money, with the incident charges arising thereon; taking the directions of the court of probate for the district of Fairfield therein.

On the memorial of Azubah June, administratrix on the estate of Simeon June late of Stanford in the district of Stanford, deceased, shewing to this Assembly that the debts &c. due from the estate of said deceased, with some necessa-

ries allowed to the widow, surmount the personal estate of said deceased the sum £25 7*s.* 9*d.* lawful money; praying liberty to make sale of so much of the real estate of said deceased as will raise said sum with the incident charges of sale: Resolved by this Assembly, that the memorialist have liberty and she is hereby impowered, to make sale of so much of the real estate of said deceased as will raise said sum of £25 7*s.* 9*d.* lawful money, with the incident charges arising on such sale; taking the direction of the court of probate in the district of Stamford therein.

Considering the present peculiar and perplexed situation of public affairs relating to this Colony, and the dark aspects of Divine Providence with regard to our most dear and valuable rights and priviledges, and of the difficulties and distresses we are or may be involved in: His Honour the Governor is therefore hereby desired, as soon as may be convenient, to appoint a day of public Fasting and Prayer to be attended in this Colony, fervently to implore divine aid, direction and wisdom, as the melancholy state of affairs require; and that his Honour issue his Proclamation therefor accordingly.

Resolved by this Assembly, That the Map of this Colony taken from actual surveys, made by Messrs. Asa Spalding, Moses Park and Samuel Mott, by order of his Honour the Governor with the advice of this Assembly, and laid down by them, be and is hereby ordered to be dedicated as follows: *To the Right Honorable Henry Seymour Conway, one of his Majesty's principal Secretaries of State, this Map of the Colony of Connecticut is dedicated by his most obedient, humble servants, the Governor and Company of said Colony.**

[189] The Sums Total of the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns in this Colony hereafter mentioned, sent in to this Assembly are as follow, viz:

Harwinton,	£5441	13	0	Hebron,	£19000	0	0
Canaan,	11420	17	0	Plainfield,	11000	0	0
Ashford,	13828	16	9	Symsbury,	23944	17	0
Glastonbury,	14204	15	6	Fairfield,	61325	4	9
Enfield,	10543	17	0	Saybrook,	22100	0	0
Lebanon,	37554	15	0	Guilford,	32685	1	4
Lyme,	22847	14	2	Branford,	22689	0	10
Groton,	24357	5	0	Stratford,	45050	0	0

* The Earl of Halifax, to whom in May, 1765, it had been proposed to dedicate the map, had been succeeded in office in July by Conway. Two copies of the map were prepared: one to be preserved in the Secretary's office, where the editor has seen it within twenty years, though it is not now to be found. Search in the Public Record Office, London, failed to discover the copy sent to England.

Haddam,	13909	11	0	Kent,	13269	0	0
Farmington,	51340	10	5	Stafford,	7846	0	0
Windham,	26318	18	4	Litchfield,	14675	3	6
Preston,	19285	6	0	Durham,	11040	9	9
Killingworth,	17516	19	1	Norwalk,	38677	11	2
Pomfrett,	22207	13	6	East Haddam,	22005	0	0
Woodstock,	17915	0	0	Colchester,	28582	16	2
Killingly,	22912	10	0	New Hartford,	6125	12	0
Tolland,	11198	18	6	New Fairfield,	9255	13	1
Canterbury,	15471	8	4	Bolton,	9067	7	0
Stonington,	34004	2	5	Voluntown,	10910	7	0
Sommers,	6646	0	0	Cornwal,	6106	1	0
Sharon,	12809	9	6	Wellington,	6194	6	6
Salisbury,	11737	4	6	Coventry,	19686	4	0
Woodbury,	43057	6	8	Stamford,	30647	1	8
Windsor,	42811	10	6	Wallingford,	42955	8	3
Danbury,	20912	6	0	Mansfield,	16699	7	0
Derby,	14753	5	6	New London,	32920	16	3
Norwich,	59801	13	6	Newtown,	19012	10	6
Waterbury,	28101	4	8	Ridgefield,	16000	0	0
Midletown,	54874	13	0	Weathersfield,	28660	10	6
New Milford,	20379	14	2	New Haven,	55695	19	3
Suffield,	16859	14	0	Torrington,	4826	2	0
Goshen,	9461	19	0	Milford,	26078	10	1
Greenwich,	18872	18	0	Hartford,	37980	3	0

On the petition of John Ray, of the city and Province of New York, *vs.* John Andrews of Fairfield, executor of the last will and testament of George Cable late of said Fairfield in the county of Fairfield, deceased, as on file: The question was put, whether the superior court in proceeding to and rendering the judgment referred to in said petition missed the law &c.: Resolved by this Assembly in the negative.

On the petition of John Beckwith, of Lyme in the county of New London, *vs.* Pygan Adams and Joseph Coit, Esq^{rs}, of New London in the county of New London, as on file: The question was put, whether either of the things prayed for in said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Elisha Lord, of Norwich in the county of New London, *vs.* Oliver Wolcott, of Litchfield in the county of Litchfield, as on file: The question was put, whether in proceeding to and rendering the judgment referred to in said petition manifest error hath intervened: Resolved by this Assembly in the negative.

On the petition of Edmund Burret and Mary his wife, both of Stratford in the county of Fairfield, *vs.* Richard Shute, of Danbury in said county of Fairfield, as on file: The question was put, whether in proceeding to and rendering the judgment of the superior court referred to in said petition manifest error hath intervened as the petitioner hath alledged and complained of: Resolved by this Assembly in the negative.

[190] On the petition of John Ray junr, of Newhaven in the county of Newhaven, *vs.* Susannah Lewis, administratrix on the estate of Barnabas Lewis late of Newhaven aforesaid, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 11 8, *lawful money. Ex. granted Oct.* 31*st*, 1765.

On the petition of Richard Vandyke and William Wickham, both of the city and Province of New York, *vs.* William Bush, Ebenezer Hobby and Jesse Hallick, all of Greenwich in the county of Fairfield, and Thomas Wright, of East Chester in the county of West Chester and Province of New York, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is* £1 14 0, *lawful money. Ex. granted Oct.* 31*st*, 1765.

On the petition of Thomas Wright and Daniel Wright, both of the city, county and Colony of New York, *vs.* John Louden, late of Norwich in the county of New London in the Colony of Connecticut now residing at Cornwallis in Nova Scotia, as on file: The question was put, whether in proceeding to and rendering the judgment of the superior court referred to in said petition manifest error hath intervened as therein is alledged and complained of: Resolved by this Assembly in the negative.

On the petition of Edward Allen, of Milford in the county of Newhaven, *vs.* John Smith of said Milford, as on file: The question was put, whether in proceeding to and rendering the judgment complained of in said petition error hath intervened, as therein set forth and complained of: Resolved by this Assembly in the negative.

Resolved by this Assembly, That the Treasurer of this Colony forthwith attend on this Assembly with a sufficient sum of money to pay the members thereof.

This Assembly grants to Eliphalet Dyer, Esqr, the sum of forty-one pounds five shillings, lawful money, over and above

what he has already received, for his expences and service in attending the late Congress at New York, and the Treasurer of this Colony is hereby directed to pay the same to him accordingly.

This Assembly grants to David Rowland, Esq^r, over and above what he has already received, for his expences and service in attending the late Congress at New York, the sum of forty-seven pounds nineteen shillings and nine pence, lawful money, and the Treasurer of this Colony is hereby directed to pay the same to him accordingly.

This Assembly grants to Wm. Sam^l Johnson, Esq^r, over and above what he has already received, for his expences and service in attending the late Congress at New York, the sum of forty-seven pounds nineteen shillings and nine pence, and the Treasurer of this Colony is hereby directed to pay the same to him accordingly.

Ordered by this Assembly, That the Treasurer of this Colony pay unto Mr. Asa Spalding, of Norwalk in the county of Fairfield, the sum of ninety-nine pounds eighteen shillings and ten pence, allowed by this Assembly to be the full of his account for his service and expences in surveying and making a Plan of this Colony, pursuant to an order of the General Assembly of this Colony in May last.

Ordered by this Assembly, That the Treasurer of this Colony pay unto Mr. Samuel Mott, of Preston in the county of New London, the sum of sixty-three pounds fourteen shillings and six pence, allowed by this Assembly to be the balance of his account for his service and expences in surveying and making a plan of this Colony, pursuant to an order of the General Assembly of this Colony in May last.

Ordered by this Assembly, That the Treasurer of this Colony pay unto Mr. Moses Park, of Preston in the county of New London, the sum of eighty-nine pounds nine shillings, allowed by this Assembly to be the balance of his account for his service and expences in making a plan of this Colony, pursuant to an order of the General Assembly of this Colony in May last.

This Assembly grants to his Honour the Governor the sum of one hundred and fifty pounds, lawful money, for the last half of his salary for the current year, and the Treasurer is ordered to pay the same accordingly.

This Assembly grants to his Honour the Deputy Governor the sum of fifty pounds, lawful money, for the last half of his salary for the current year, and the Treasurer is ordered to pay the same accordingly.

Resolved by this Assembly, That the Treasurer of this Colony be and he is hereby ordered to pay Mr. Timothy Green, printer to the Governor and Company of this Colony, the sum of thirty-one pounds fourteen shillings and three pence, for his service in printing the acts of this Assembly, &c.,* as per his bill exhibited to and allowed by this Assembly.

This Court is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Teste GEORGE WYLLYS Secret'y

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[191] *Anno Regni Regis Georgii tertii sexto.*

AT A GENERAL ASSEMBLY AND COURT OF ELECTION HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA ON THE SECOND THURSDAY OF MAY AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRTIETH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1766.

Present:

The Honorable Thomas Fitch, Esq^{r}, *Governor.*†

The Honorable William Pitkin, Esq^{r}, *Deputy Governor.*

Jonathan Trumbull, Mathew Griswold,
Hezekiah Huntington, Shubael Conant,
John Chester, Elisha Sheldon,
Benjamin Hall, Jabez Huntington,
Jabez Hamlin,
} Esq^{rs}, *Assistants.*

Representatives or Deputies of the Freemen of the several Towns are as follow, viz:

Colo. William Pitkin, John Ledyard, Esq^{r}, for Hartford.
Roger Sherman, Esq^{r}, Mr. Samuel Bishop, for New Haven.
Mr. Jeremiah Miller, Mr. William Hilhouse, for New London.
Mr. Lothrop Lewis, Colo. John Read, for Fairfield.
Maj. Jedidiah Elderkin, Capt. Samuel Murdock, for Windham.

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* One item of this bill was £12, for printing 300 copies of the stamp act. *Finance & Currency*, v. 91.

† In March, 1766, was published at Hartford by Thomas Green a pamphlet of fourteen pages, written by Governor Fitch, with the title *Some reasons which influenced the Governor to take and the Councillors to administer the Oath required by the Act of Parliament, commonly called the Stamp Act; Humbly submitted to the consideration of the public.* It did not, however, have the effect of securing the re election of himself and the four Assistants by whom the oath was administered to him.

Colo. Ebenezer Marsh, Mr. Isaac Baldwin, for Litchfield.
Mr. Isaac Tracey, Maj. John Durkee, for Norwich.
Mr. Abraham Davenport, Capt. Charles Webb, for Stamford.
Maj. Amos Cheesbrough, Mr. Paul Wheeler, for Stonington.
Capt. Jabez Sherwood, Capt. Messenger Palmer, for Greenwich.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Mr. John Ransom, Mr. Eliphalet Comestock, for Kent.
Mr. Daniel Alden jun^{r}, Capt. Isaac Pinney, for Stafford.
Mr. John Fowler, Mr. Robert Treat, for Milford.
Mr. Phineas Strong, Mr. Ephraim Root, for Coventry.
Capt. Daniel Taylor, Mr. Samuel Dickingson, for Danbury.
Mr. John Strong, Mr. Jonathan Root, for Farmington.
Capt. Samuel Morgan, Colo. Samuel Coit, for Preston.
Mr. Daniel Foot, Capt. Peter Bulkley, for Colchester.
Capt. John Wilson, Mr. Abijah Catlin, for Harwinton.
[192] Mr. Jonathan Dresser, Colo. Israel Putnam, for Pomfrett.
Mr. Bryant Brown, Mr. Benja. Leavins, for Killingly.
Mr. Richard Fairman, Capt. Henry Glover, for Newtown.
Capt. Nehemiah Lyon, Mr. Ebenezer Payne, for Woodstock.
Mr. Joseph Hopkins, Mr. Stephen Upson, for Waterbury.
Mr. Bushnel Bostwick, Capt. Samuel Canfield, for New Milford.
Capt. Isaac Kellogg, Mr. Martin Smith, for New Hartford.
Capt. Eleazer Hubbel, Mr. Ephraim Hubbel, for New Fairfield.
Capt. James Wadsworth jr., Mr. Nathan Camp, for Durham.
Mr. John Gordon, Mr. Robert Dixon, for Voluntown.
Mr. Emery Pease, for Sommers.
Capt. Benja. Sumner, Capt. Jedidiah Fay, for Ashford.
Mr. William Williams, Mr. Benajah Bill, for Lebanon.
Mr. Edward Collins, Mr. Nathaniel Terry, for Enfield.
Capt. William Hoadly, Mr. Samuel Russel, for Brandford.
Mr. Thomas Fitch jun^{r}, Mr. Joseph Platt, for Norwalk.
Mr. Benja. Chaplin, Mr. John Salter, for Mansfield.
Mr. Alex^{r} Wolcott, Mr. Mathew Rockwell, for Windsor.
Mr. John Cook, Mr. Noah Wilson, for Torrington.
Mr. Zebulon West, Capt. Samuel Chapman, for Tolland.
Maj^{r} Elizur Talcott, Mr. William Welles, for Glastonbury.
Capt. Thomas Pitkin, Mr. Benja. Talcott, for Bolton.
Mr. Abner Barker, Capt. Timo. Pearl, for Wellington.
Capt. Thomas Chittenden, Mr. Joshua Porter, for Salisbury.
Capt. Jonath. Pettibone, Capt. John Case, for Symsbury.
Colo. Samuel Willard, Capt. John Murdock, for Saybrook.

Mr. William Lee, Mr. Nathan Olmstead, for Ridgefield.
Mr. Daniel Sherman, Mr. Increase Moseley, for Woodbury.
Capt. Samuel Kent, Mr. William King, for Suffield.
Mr. Nathaniel Hill, Mr. Nath. Ruggles, for Guilford.
Mr. Noah Rogers, Mr. Heman Swift, for Cornwal.
Mr. John Lay 2d, Mr. Samuel Selden, for Lyme.
Mr. John Phelps, Capt. Samuel Gilbert, for Hebron.
Majr Hezh Brainerd, for Haddam.
Capt. Robert Fairchild, Capt. Ichabod Lewis, for Stratford.
Capt. Macock Ward, Capt. Samuel Hull, for Wallingford.
Mr. Elisha Payne, Majr Ezekiel Pierce, for Plainfield.
Capt. Jabez Fitch, Mr. Stephen Frost, for Canterbury.
Mr. Moses Lyman, Capt. Ebenezer Norton, for Goshen.
Mr. Seth Wetmore, Mr. Richard Alsop, for Midletown.
Mr. Daniel Holbrook, Capt. Abel Gun, for Derby.
Capt. Elisha Williams, Capt. Thomas Belding, for Weathersfield.
Capt. John Williams, Capt. Caleb Jewet, for Sharon.
Colo. David Whitney, Mr. Charles Burrel, for Canaan.
Capt. John Pierson, Colo. Aaron Eliott, for Killingworth.
Mr. Dyer Throop, for East Haddam.

Zebulon West, Esqr, Speaker, } of the House of
Mr. William Williams, Clerk, } Representatives.

[193] This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and then the votes of the freemen were given in to the persons appointed by the Assembly to receive, sort and count them; which persons were, Jonathan Trumbull, Hezekiah Huntington, John Chester, Benjamin Hall, Jabez Hamlin, Mathew Griswold, Shubael Conant, Elisha Sheldon, Jabez Huntington, Mr. John Ledyard, Capt. Elisha Williams, Capt. John Fowler, Mr. Samuel Bishop, Mr. William Hillhouse, Colo. Samuel Coit, Capt. Robert Fairchild, Mr. Thomas Fitch junr, Capt. Jabez Fitch, Majr Jedidiah Elderkin, Colo. Ebenezer Marsh and Capt. John Williams, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honorable William Pitkin, Esqr, is chosen Governor of this Colony for the year ensuing.

The Honorable Jonathan Trumbull, Esqr, is chosen Deputy Governor of this Colony for the year ensuing

Hezekiah Huntington, Esqr, Mathew Griswold, Esqr, Shubael Conant, Esqr, Elisha Sheldon, Esqr, Eliphalet Dyer, Esqr,

Jabez Huntington, Esq^r, William Pitkin jun^r, Esq^r,* Roger Sherman, Esq^r, Robert Walker, Esq^r, Abraham Davenport, Esq^r, William Samuel Johnson, Esq^r, Joseph Spencer, Esq^r, are chosen Assistants for the year ensuing.

Joseph Talcott, Esq^r, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^r, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath appointed by the law of this Colony, and the oath required by the act of Parliament made and passed in the fourth year of the reign of his Majesty George the third, entituled An act for granting certain duties in the British Colonies and Plantations in America &c., were in due form and manner administered to the Hon^ble William Pitkin, Esq^r, now chosen Governor of the Colony of Connecticut.

The Deputy Governor's oath appointed by law was administered by his Honor the Governor to the Hon^ble Jonathan Trumble, Esq^r, now chosen Deputy Governor.

The Assistant's oath prescribed by the law of this Colony was duly administered to Hezekiah Huntington, Mathew Griswold, Shubael Conant, Elisha Sheldon, Eliphalet Dyer, Jabez Huntington, William Pitkin jun^r, Roger Sherman, Robert Walker, Abraham Davenport, William Samuel Johnson, and Joseph Spencer, Esq^rs, now chosen Assistants over this Colony.

The Treasurer's oath prescribed by law was duly administered to Joseph Talcott, Esq^r, now chosen Treasurer.

The Secretary's oath appointed by law was administered by his Honor the Governor to George Wyllys, Esq^r, now chosen Secretary of this Colony.

And now the said new elected public officers of the Colony took their seats and places accordingly in the present session of the General Assembly of the Governor and Company of the Colony of Connecticut aforesaid, to transact the incident and proper business and concerns of said Assembly.

Ordered, That Elisha Sheldon and John Williams, Esq^rs, return the thanks of this Assembly to the Reverend Mr. Jonathan Lee, for his sermon delivered before the Assembly on the 8th instant, and desire a copy thereof that it may be printed.

[194] This Assembly do appoint the Honorable Jonathan Trumbull, Esq^r, to be Chief Judge of the Superior Courts in this Colony for the year ensuing.

*Ezekiel Williams of Weathersfield, Esq^r, was appointed Sheriff of Hartford county, February 2d, 1767, in the room of William Pitkin, Esq^r, promoted. *Courant* No. 110.

This Assembly do appoint Robert Walker, Esq^{r}, Mathew Griswold, Esq^{r}, Eliphalet Dyer, Esq^{r}, and Roger Sherman, Esq^{r}, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^{r}, to be Judge of the County Court in and for the county of Hartford for the year ensuing.

This Assembly do appoint Roger Newton, Esq^{r}, to be Judge of the County Court in and for the county of Newhaven for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^{r}, to be Judge of the County Court in and for the county of New London for the year ensuing.

This Assembly do appoint David Rowland, Esq^{r}, to be Judge of the County Court in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Shubael Conant, Esq^{r}, to be Judge of the County Court in and for the county of Windham for the year ensuing.

This Assembly do appoint John Williams, Esq^{r}, to be Judge of the County Court in and for the county of Litchfield for the year ensuing.

This Assembly do appoint Joseph Talcott, Esq^{r}, to be Judge of the Court of Probate for the district of Hartford for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^{r}, to be Judge of the Court of Probate for the district of Midletown for the year ensuing.

This Assembly do appoint Joseph Spencer, Esq^{r}, to be Judge of the Court of Probate for the district of East Haddam for the year ensuing.

This Assembly do appoint Zebulon West, Esq^{r}, to be Judge of the Court of Probate in and for the district of Stafford for the year ensuing.

This Assembly do appoint John Hubbard, Esq^{r}, to be Judge of the Court of Probate for the district of Newhaven for the year ensuing.

This Assembly do appoint Nathaniel Hill, Esq^{r}, to be Judge of the Court of Probate for the district of Guilford for the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq^{r}, to be Judge of the Court of Probate for the district of New London for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^{r}, to be Judge of the Court of Probate for the district of Norwich for the year ensuing.

This Assembly do appoint David Rowland, Esq^r, to be Judge of the Court of Probate for the district of Fairfield for the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq^r, to be Judge of the Court of Probate for the district of Stamford for the year ensuing.

This Assembly do appoint Thomas Benedict, Esq^r, to be Judge of the Court of Probate for the district of Danbury for the year ensuing.

This Assembly do appoint the Hon^ble Jonathan Trumbull, Esq^r, to be Judge of the Court of Probate for the district of Windham for the year ensuing.

This Assembly do appoint Jabez Fitch, Esq^r, to be Judge of the Court of Probate for the district of Plainfield for the year ensuing.

This Assembly do appoint Ebenezer Williams, Esq^r, to be Judge of the Court of Probate for the district of Pomfrett for the year ensuing.

This Assembly do appoint Daniel Sherman, Esq^r, to be Judge of the Court of Probate for the district of Woodbury for the year ensuing.

[195] This Assembly do appoint Ebenezer Marsh, Esq^r, to be Judge of the Court of Probate for the district of Litchfield for the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the Court of Probate for the district of Sharon for the year ensuing.

This Assembly do appoint William Wolcott, Zebulon West, Seth Wetmore and Samuel Talcott, Esq^rs, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint John Chester, Thomas Welles, Phineas Lyman, Jabez Hamlin, Joseph Fowler, George Wyllys, Joseph Talcott, John Ledyard, Thomas Hosmer, Jonathan Hills, Thomas Seymour, John Pitkin, Samuel Enno, Erastus Wolcott, Josiah Bissel, Henry Allyn, Elisha Williams, Joseph White, Joseph Southmaid, Nathaniel Chauncey, Mathew Talcott, John Hooker, Solomon Whitman, Jared Lee, Hezekiah Gridley, John Strong, William Wadsworth, John Owen, Judah Holcomb, Jonathan Pettibone, Hezekiah Humphrey, Samuel Kent, Hezekiah Brainerd, Joseph Wells, Jonathan Hale, John Kimberly, William Welles, Daniel Cone, Daniel Brainerd jun^r, Epaphras Lord, John Watrous, Daniel Foot, John Phelps, Alexander Phelps, Samuel Gilbert, Elisha Steel, Thomas Pitkin, Benjamin Talcott, Ephraim Terry,

Joseph Chester, Isaac Pomeroy, Abner Parker, Samuel Reynolds, Peter Jennings, and Daniel Adams jun^r, Esq^rs, to be Justices of the Peace in and for the county of Hartford for the year ensuing.

This Assembly do appoint Joseph Hart, Esq^r, to be a Justice of the Peace in and for the county of Hartford for the year ensuing.

This Assembly do appoint John Hubbard, Elihu Chauncey, and Thomas Darling, Esq^rs, to be Justices of the Peace and Quorum in and for the county of Newhaven for the year ensuing.

This Assembly do appoint Roger Sherman, Esq^r, Justice of Quorum in and for the county of Newhaven for the year ensuing.

This Assembly do appoint Roger Newton, Benjamin Hall, Samuel Sherman, John Whiting, Samuel Sanford, Daniel Sperry, Samuel Hemingway, Moses Tuttle, Nathan Baldwin, Jesse Forbes, Timothy Russell, Daniel Holbrook, Charles Pond, Thomas Mathews, Joseph Hopkins, Chloe Hamilton, Timothy Jones, Elihu Hall, John Hall, Caleb Merriman, Benjamin Hall 4th, James Wadsworth jr, Theophilus Rossiter, Samuel Johnson, Nathaniel Rogers, Nathaniel Hill, Josiah Meigs, Jonathan Darrell, Joseph Rogers, Samuel Barker, William Fleming, James Dickson, Stephen Upson jun^r, and Abner Lyons, Esq^rs, to be Justices of the Peace in and for the county of New Haven for the year ensuing.

This Assembly do appoint Nathaniel Hill, Esq^r, to be Justice of the Quorum for the county of Newhaven for the year ensuing.

This Assembly do appoint Christopher Avery, Richard Law, Prime Allen jun^r, Ebenezer Backus, Esq^rs, to be Justices of the Peace and Quorum in and for the county of New London for the year ensuing.

This Assembly do appoint Benjamin Gale, Elnathan Stedman, Asher Esq^r, Joseph Wilson, John Pierson, Nathaniel Chapman, John Tilley, Hezekiah Wheeler, John Murdock, Elizur Goodrich, Samuel Eliot, John Lay 2d, George Doer, Samuel Seabury, Daniel Coit, Jeremiah Miller, William Hallowell, Thomas Lee, Nathaniel Shaw, Luke Perkins, William Williams, Nathan Smith, Abraham Avery, Joseph Denison, Samuel Prentice, Abner Chesebrough, John Williams, Charles Phelps, Samuel Mosman, Samuel Coit, William Warner, William Whiting, Jacob Perkins, Ebenezer Harkness, Simon Tracy jun^r, Hezekiah Avery, Samuel Huntington, Elisha Paine and Benjamin Huntington, Esq^rs, to be Justices of the

Peace in and for the county of New London for the year ensuing.

This Assembly do appoint Abraham Davenport, Esq^{r}, to be of the Quorum in and for the county of Fairfield for the year ensuing.

This Assembly do appoint John Read, Samuel Adams, and Robert Fairchild, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Fairfield for the year ensuing.

This Assembly do appoint David Rowland, Joseph Platt, Agur Tomlinson, Ichabod Lewiss, James Walker, William Burr, Lothrop Lewiss, Thomas Hill, David Burr, Samuel Sherwood, Samuel Fitch, Thomas Fitch jun^{r}, Elias Betts, Theophilus Fitch, Jonathan Hoit, John Ferriss, Sam^{l} [196] Olmstead, ‖ Samuel Smith, Thomas Benedict, Joseph Platt Cook, Samuel Taylor, Ephraim Hubbel, Caleb Baldwin, Richard Fairman, Daniel Fairchild, Samuel Bradly jun^{r}, Charles Webb, Messenger Palmer, and David Knapp, Jonathan Maltbie and Peter Mead, Esq^{rs}, to be Justices of the Peace in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq^{r}, to be a Justice of the Peace in and for the county of Fairfield for the year ensuing.

This Assembly do appoint John Dyer, Jabez Fitch, Joshua West and Jedidiah Elderkin, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Windham for the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Samuel Gray, Nathaniel Wales jun^{r}, Joseph Clark, William Metcalf, William Williams, Benjamin Wheeler, Isaac Coit, Joseph Storrs, Joseph Strong, Phineas Strong, Samuel Huntington of Canterbury, John Curtiss, Ebenezer Williams, William Osgood, Thomas Williams, John Grosvenor, Samuel Danielson, Jacob Dresser, Thomas Moffat, Samuel Chandler, Nathaniel Childs, Ebenezer Smith, John Smith, Robert Dixon, Jeremiah Keene, Elijah Whiton, Benjamin Sumner, Ebenezer Wales, Abner Sessions, Benajah Bill, Jacob Symons, and Elisha Payne, Esq^{rs}, to be Justices of the Peace in and for the county of Windham for the year ensuing.

This Assembly do appoint Ebenezer Marsh, Increase Mosely, Daniel Sherman and Bushnel Bostwick, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Litchfield for the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Jacob Woodruff, Isaac Baldwin, Elisha Stoddard, Daniel

Everet, Benjamin Hinman, Tilley Blachley, Paul Welch, Samuel Bostwick, John Ransom, Daniel Lee, Nathan Eliot, Cyrus Marsh, Daniel Griswold of Sharon, James Landon, John Hutchinson, Thomas Russel, David Whitney, John Beebe, John Beach, Moses Lyman, Samuel Nash, John Cook, Epaphras Sheldon, Cyprian Webster, Abijah Catlin, Isaac Kellogg, Mathew Gillet, Michael Humphrey, Samuel Canfield, Charles Burrel, and Joshua Porter, Esq^{rs}, to be Justices of the Peace in and for the county of Litchfield for the year ensuing.

This Assembly do appoint Aaron Eliot, Esq^{r}, to be Colonel of the seventh regiment in this Colony.

This Assembly do appoint Hezekiah Brainerd, Esq^{r}, to be Lieutenant-Colonel of the seventh regiment in this Colony.

This Assembly do appoint John Murdock, Esq^{r}, to be Major of the seventh regiment in this Colony.

This Assembly do appoint Joseph Spencer, Esq^{r}, to be Colonel of the 12th regiment in this Colony.

This Assembly do appoint Alexander Phelps, Esq^{r}, to be Lieutenant-Colonel of the 12th regiment in this Colony.

This Assembly do appoint William Williams, Esq^{r}, to be Major of the 12th regiment in this Colony.

This Assembly do establish Mr. Moses Robbins to be Captain of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Ezra Creary to be Lieutenant of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do appoint James Kinnee jun^{r} to be Ensign of the 13th company or trainband in the 11th regiment in this Colony.

This Assembly do appoint Mr. Henry Lyon to be Captain of the company or trainband in the east division in the parish of Reading in the 4th regiment in this Colony.

This Assembly do establish Mr. Daniel Hill to be Lieutenant of the company or trainband in the east division in the parish of Reading in the 4th regiment in this Colony.

[197] This Assembly do establish Mr. Obadiah Gore to be Captain of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. Ambrose Blunt to be Lieutenant of the 8th company or trainband in the town of Norwich.

This Assembly do establish Mr. James Cook jun^{r}, to be Ensign of the 8th company or trainband in the town of Norwich.

This Assembly do establish Experience Storrs to be Captain of the 2d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Jonathan Nickols to be Lieutenant of the second company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. James Dana to be Ensign of the 2d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. William Cary to be Ensign of the 2d* company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Elisha Fox to be Ensign of the seventh company or trainband in the 3d regiment in this Colony.

This Assembly do establish Mr. Phineas Barns to be Lieutenant of the first company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. Zealous Adkins to be Ensign of the first company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. Samuel Hickcox to be Lieutenant of the second company or trainband in the town of Waterbury.

This Assembly do establish Mr. Stephen Welton to be Ensign of the second company or trainband in the town of Waterbury.

This Assembly do establish Mr. Daniel Morgan to be Captain of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Peter Rose to be Lieutenant of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Thomas Partridge to be Ensign of the 5th company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. Nathan Douglas to be Captain of the first company or trainband in the town of New London.

This Assembly do establish Mr. Asa Spaulding to be Lieutenant of the first company or trainband in the first society in the town of Norwalk.

This Assembly do establish Mr. Haynes Fitch to be Ensign of the first company or trainband in the first society in the town of Norwalk.

* 1st company. *Original file.*

This Assembly do appoint Mr. Samuel Hall to be Captain of the 8th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Abiel Cheeney to be Lieutenant of the 8th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. James Hooker to be Captain of the second company or trainband in the town of Windsor.

This Assembly do establish Mr. Phineas Lewis to be Lieutenant of the 2d company or trainband in the town of Farmington.

This Assembly do establish Mr. Joseph Porter to be Ensign of the 2d company or trainband in the town of Farmington.

This Assembly do establish Mr. John Beecher to be Captain of the troop of horse in the second regiment in this Colony.

This Assembly do establish Mr. Joseph Sandford to be Lieutenant of the troop of horse in the second regiment in this Colony.

This Assembly do establish Mr. Enoch Baldwin to be Quarter-Master of the troop of horse in the second regiment in this Colony.

This Assembly do establish Mr. John Belding to be Ensign of the 1st company or trainband in the 6th regiment in this Colony.

[198] This Assembly do establish Mr. Daniel Hide jun^{r} to be Lieutenant of the third company or trainband in the town of Norwich.

This Assembly do establish Mr. Joseph Hunt to be Ensign of the 3d company or trainband in the town of Norwich.

This Assembly do establish Mr. Samuel Gurley to be Captain of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Stephen Deming to be Ensign of the 10th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Guy Richards to be Captain of the second company or trainband in the town of New London.

This Assembly do establish Mr. Richard Dishon to be Lieutenant of the 2d company or trainband in the town of New London.

This Assembly do establish Mr. Adam Shapley to be En-

sign of the second company or trainband in the town of New London.

This Assembly do establish Mr. Walter Hide to be Captain of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. James Clark to be Lieutenant of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. William Huntington to be Ensign of the first company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Amariah Williams to be Lieutenant of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Brown to be Captain of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Ransford to be Lieutenant of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Woodward to be Ensign of the 9th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Mathew Perkins to be Captain of the company or trainband in the society of Hanover in the town of Norwich.

This Assembly do establish Mr. Isaiah Williams to be Lieutenant of the company or trainband in the society of Hanover in the town of Norwich.

This Assembly do establish Mr. David Knight junr to be Ensign of the company or trainband in the society of Hanover in the town of Norwich.

This Assembly do establish Mr. Ebenezer Emons to be Ensign of the 12th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Samuel Youngs to be Captain of the company or trainband in the society of Midlesex in the 9th regiment in this Colony.

This Assembly do establish Mr. Abraham Reed to be Lieutenant of the company or trainband in the society of Midlesex in the 9th regiment in this Colony.

This Assembly do establish Mr. Zebulon Hibbard to be Captain of the third company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Bingham to be

Lieutenant of the 3d company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Ruggles jun^{r} to be Captain of the company or trainband in the society of Newbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Israel Wait Wells to be Lieutenant of the first troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. Ichabod Olmstead to be Cornet of the 1st troop of horse in the 12th regiment in this Colony.

This Assembly do establish Mr. John Chamberlin jun^{r} to be Quarter-Master of the first troop of horse in the 12th regiment in this Colony.

[199] This Assembly do establish Mr. Stephen Turner to be Ensign of the 10th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Joseph Smith jun^{r} to be Lieutenant of the company or trainband in the society of Newbury in the 4th regiment in this Colony.

This Assembly do establish Mr. Joseph Starr to be Captain of the second company or trainband in the town of Groton.

This Assembly do establish Mr. Solomon Perkins to be Lieutenant of the 2d company or trainband in the town of Groton.

This Assembly do establish Mr. John Potter to be Ensign of the 14th company or trainband in the 2d regiment in this Colony.

An Act for recovering in the Excise Monies and appropriating the same for the Benefit of Schools.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the selectmen in each town in this Colony for the time being shall, and they are hereby authorized and impowered to receive, collect, sue for and recover of all or any of the collectors or retailers of the same town, their heirs, executors or administrators, any sum or sums of money that are yet due and unpaid, which such collector or collectors have already or might have collected by the several acts and laws of this Colony for excise on liquors, tea, &c.; and all the monies that shall be recovered by virtue of this act for and on account of the excise &c., as above mentioned, shall be paid to the several committees in each town where they are recovered, who are appointed to receive the money granted by the Colony for the encouragement of schools, and shall by said committee be let out and the interest thereof improved for the support of the respective schools aforesaid forever, and for no other use.

And be it further enacted by the authority aforesaid, That all the monies that have been paid into the treasury of this Colony by any town for and on account of the excise as abovementioned, the interest thereof at the rate of five *per centum per annum* shall be annually paid out of the treasury of this Colony to the several towns, in proportion to the sums paid in by them, and the same shall by said towns be laid out and improved for the benefit and support of the school or schools in such town, in the same manner as the other monies drawn out of the Colony treasury are ordered and directed.

An Act in further Addition to one Law of this Colony entituled An Act for collecting and paying of Rates or Taxes.

Whereas it is provided in and by the seventh paragraph of said act, that when and so often as it shall so happen that any constable chosen by any town to collect the Colony rates or taxes prove insolvent or shall not be able to pay the Colony tax or any part thereof in his hands, in such case the Treasurer of the Colony is ordered and impowered to grant and sign a writ or warrant directed to one of the sheriffs of the Colony, requiring him to levy and collect of the selectmen, or any one of them, of that town in which such insolvent constable was chosen, such rate or part thereof as shall then be in the hands of such insolvent constable &c., but no provision is made in said act, nor in the act made in addition thereto, for any town or selectmen in case of the failing circumstances of their respective collectors, to avail themselves of any part of the rate-bills in the hands of their collectors, or of their estates, whereby the towns are exposed to loss: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That when and so often as any collector of the Colony rate shall neglect to make up and settle his accounts with the Treasurer by the time appointed by law for settling the same, it shall be lawful for the selectmen of such town for the time being, to bring their action against such negligent collector for the recovery of such sum or sums as shall remain unpaid, and to attach and secure the person and estate of such collector for the same; and the whole of the estate which such collector shall be seized or possessed of at the time of the selectmen's bringing their action as aforesaid shall be subject to the payment of said rate or tax, any disposition of said collector or any demand of any creditor notwithstanding. Provided also, that if any such collector shall deliver up his rate-bill into the hands of the selectmen, they are hereby impowered to depute some meet person to collect the remaining part of said bill, and the same shall be accounted for in favour of said collector.

And be it further enacted by the authority aforesaid, That when and so often as any town shall have brought their action against any collector, pursuant to this act, the Treasurer of this Colony may grant out his warrant against the selectmen of that town for non-payment of said tax or taxes, as in case of a return of a *non est inventus* against the collector, as is provided by said recited statute, without first sending such warrant.

[200] An Act in Addition to an Act of this Colony entituled An Act for regulating Gaols and Gaolers.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no person or persons that shall be committed to prison in any civil matter or action shall be admitted or allowed to take the oath provided in said act for poor prisoners, until the creditor or creditors of such prisoner, if inhabitants within this Colony, otherwise the attorney of such creditor or creditors, has been notified to appear at time and place of such prisoner's taking said oath, and a reasonable time allowed after such notice given for the creditor or his attorney to appear and shew reasons, if any he hath, why such prisoner or prisoners shall not be allowed to take the oath by said act provided; any law, usage or custom to the contrary notwithstanding.

An Act for preventing trivial and vexatious Suits.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That in all actions of trespass, assault and battery, and trespass upon the case, which shall be hereafter commenced or prosecuted in any county or superior court in this Colony, (except only where the title or inheritance or interest of lands or freehold estate is the principal matter in question on the tryal of such case,) if the damage is therein found by verdict of a jury or otherways to be under forty shillings, lawful money, the plaintiff shall recover no more costs than damages; any law, usage or custom to the contrary notwithstanding.

Provided nevertheless, That when the defendant in any of the actions aforesaid shall remove such action by appeal from an Assistant or justice of the peace to the county court, or from the county court to the superior court, the plaintiff on his recovering final judgment against the defendant shall recover his full costs of suit; anything in this act to the contrary notwithstanding.

An Act in Addition to an Act entituled An Act for preventing, punishing and removing Nuisances in Creeks, Rivers and Water Courses.

Whereas the drawing of seines near and at the mouth of the river called Windsor Ferry River prevents the fish and turns

them from going in their natural course, which prevents their being taken and catched up said river in the spring season, as usual,

It is therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That no person or persons whatsoever shall be allowed to draw any seine or use any fish-craft for the taking and catching fish in the months of April and May annually, within a quarter of a mile below where the said river empties itself into Connecticut River, nor at the mouth of said Ferry River, or within a quarter of a mile up said river, at any time. Nor shall any person or persons in the night season in said months, between the setting and rising of the sun, draw any seines or use any other fish-crafts to prevent the fish going up said river. And every person or persons that shall be convicted of the breach of this act shall forfeit the sum of ten pounds, the one half to the complainer who shall prosecute to effect, the other half to the county treasurer where the offence is committed; any law, usage or custom to the contrary notwithstanding.

This act to be in force for three years, and no longer.

An Act for the Reviving an Act of this Colony made and passed in May, 1761, entituled An Act in further Addition to the Law entituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in May last, that the aforesaid act should continue and be in force until the rising of this Assembly, and no longer,

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act be revived, and the same is hereby revived, and shall continue and be in full force until the rising of this Assembly in May next.

This Assembly desire his Honour the Governor to consider of and prepare an humble, dutiful and loyal Address to his Majesty, expressive of the filial duty, gratitude and satisfaction, of the Governor and Company of this Colony on the [201] happy occasion of the beneficial repeal of ‖ the late American Stamp Act, so soon as he shall be possessed of all the materials and intelligence which are expedient and necessary in order to preparing and finishing such address in a decent and proper manner. And his Honour the Deputy Governor, Hez^{h} Huntington, Mathew Griswold, Eliphalet Dyer, William Pitkin jun^{r}, Roger Sherman, Robert Walker, Wm. Samuel Johnson, George Wyllys, Zebulon West, John Ledyard, Alexander Wolcott, Jedidiah Elderkin, and William Williams, Esq^{rs}, are hereby appointed a committee fully authorized and directed, to assist and advise his Honour the

Governor in preparing and compleating, as soon as it may conveniently be done, such address, and any other addresses as they shall judge expedient and proper on this joyful and happy event; the same to be signed and forwarded by his Honour the Governor in the name and on behalf of this Corporation; and also desire his Honour the Governor to return the most ardent and grateful thanks of this Assembly to all those who have distinguished themselves as the friends and advocates of the British Colonies in America on this important occasion, whether as Members of the British Parliament, or otherways.*

Resolved by this Assembly, That his Honour the Governor be and he is hereby desired to issue his Proclamation appointing a day for public Thanksgiving, to be religiously observed throughout this Colony, on the happy occasion of the beneficial repeal of the late Stamp Act, as soon as conveniently may be done after he shall be possessed of all the materials and intelligence of the late interesting and important occurrences in the British Parliament relative to and shewing all circumstances attending this joyful and happy event.†

Resolved by this Assembly, That John Chester, William Pitkin jun^r^, and George Wyllys, Esq^rs^, are hereby appointed a committee to sell eight thousand five hundred pounds sterling of the money belonging to this Colony now in the hands of Mr. Agent Jackson. And the said committee is hereby directed to sell the same for the full value thereof in silver, gold, or bills of credit of this Colony emitted by act of Assembly in March, 1764, to any person or persons that shall appear and pay the value thereof, as aforesaid, into the treasury of this

*A letter from Governor Pitkin to Secretary Conway, dated Hartford, August 4th, 1766, may be found in Almon's *Prior Documents*, 109. And the letter of Secretary Conway, to which it was an answer, is in *N. Y. Colonial Documents*, vii. 823. *R. I. Col. Records*, vi. 486.

† Friday, May 23d, was the day appointed. The morning was ushered in by the ringing of bells—the shipping in the river displayed their colors—at noon 21 cannon were discharged, and preparations were making for a general illumination in the evening, when accidentally fire was communicated to a quantity of powder, put in one of the lower rooms of the new brick school-house, (which stood where the American Hall is now,) to be delivered out to the military and used on this joyful occasion. In an instant the building was reduced to a heap of rubbish. A number of young gentlemen had met to make sky rockets in the chamber over the room where the powder was deposited. About thirty were buried in the ruins, of whom six died. Both the Hartford ministers were sick, but Rev. John Devotion, of Saybrook, who happened to be present, preached a sermon on the occasion the following Sunday, which was printed. A repeated attempt was unsuccessfully made in behalf of the proprietors, to obtain from the General Assembly compensation for the loss of the building.

Colony; and when such contract is made and the money or bills aforesaid paid into the treasury, and the Treasurer's receipt produced to said committee in evidence thereof, said committee is directed to lodge the same with the Secretary of this Colony and make a proper certificate to his Honour the Governor, who is hereby desired and impowered on receipt of such certificate, to draw proper bills of exchange on Mr. Richard Jackson, Agent for this Colony, at Hinton Brown & Sons, as he may judge most proper, in favour of such purchaser or purchasers and for such sum or sums purchased as aforesaid.

Resolved by this Assembly, That Capt. Titus Hurlburt take care of the guns, arms and other warlike stores in the battery at New London, and as far as is necessary see that they are cleansed and preserved from suffering by the rust. And he is hereby impowered to procure a new flag and a barrel of tar for the use of said battery. And this Assembly do grant him the sum of five pounds out of the public treasury for his past services.

Whereas Mr. Samuel Kirtland about one year and half ago travelled from this Colony into the country belonging to the Indians of the Six Nations, and has since resided great part of his time among the Seneca Tribe, on purpose to learn their language, in which he hath made great proficiency, thereby to furnish himself for future useful improvement, who is lately returned on a visit to his friends, and with him has come an Indian who is called a head warrior among the Indians and hath shewed himself a great friend to the person and design of said Mr. Kirtland, by whose friendship and influence the good ends and purposes of civilizing, instructing and christianizing of such Indians will be promoted: Therefore, to encourage the good design of said Mr. Kirtland and to make a grateful return to his Indian friend, this Assembly do grant to said Mr. Samuel Kirtland the sum of twelve pounds in lawful money, to furnish him with suitable cloathes for said service, and also the sum of eight pounds to be laid out in cloathing agreeable to the Indian who came in company with him, and presented to him in the name of this Assembly. And the Treasurer of this Colony is hereby ordered to pay to said Mr. Samuel Kirtland the whole of said two sums, being twenty pounds, lawful money, for the purposes mentioned.

Upon the petition of Samuel Butler of Weathersfield, representing to this Assembly that he brought his action against Jonathan Hills of Hartford before John Chester, Esq^{r}, As-

sistant, on the 17th day of September, A. D. 1762, by his writ dated the 9th day of August, A. D. 1762, therein charging the said Hills with entering upon the petitioner's lot of land lying in said Weathersfield, bounded and described [202] || in said writ, and cutting four of the petitioner's trees or poles under the dimensions of one foot diameter, to which action the said Hills pleaded by way of demurrer to the petitioner's title, and said action by legal removes came to the superior court held at Hartford the first Tuesday of March, A. D. 1764, when and where said parties were joined in a general demurrer to the said Hills's plea aforesaid, on which demurrer said superior court rendered judgment that the aforesaid plea of the defendant, said Hills, was sufficient, and that he should recover his cost, as per files and records of said superior court &c.; and further complaining that in proceeding to and rendering said final judgment manifest error hath intervened; and praying this Assembly to reverse and set aside said final judgment and grant him, the petitioner, a new tryal in said action at the superior court to be held at said Hartford on the first Tuesday of September next, and that all cost may follow the final judgment in said action &c., as per petition on file: Resolved by this Assembly, that the aforesaid final judgment is manifestly erroneous, and that the said judgment be and the same is hereby reversed and set aside, and made null and void; and liberty is hereby granted the petitioner of a new tryal in said action at the superior court to be held at Hartford within and for said county of Hartford on the first Tuesday of September next, and that all the cost follow the final judgment that shall be rendered in said action.

Upon the petition of Ezekiel Pierce of Plainfield, shewing to this Assembly that he brought his action against Jabez Fitch, Esq^r, of Canterbury, to the county court held at Windham on the 4th Tuesday of June, 1764, demanding £200 0*s*. 0*d*. damages for recommending Eleazer and Jesse Darby, both of said Canterbury, as men of estates &c.; that judgment was rendered in said action against said petitioner at said county court; that said petitioner moved for an appeal to the then next superior court and procured bail accordingly &c., but was unexpectedly prevented &c.; praying for liberty to enter an appeal in said action &c., as per petition on file: Resolved by this Assembly, that liberty of an appeal from said judgment of said county court in said action is hereby granted to said petitioner to the superior court to be held at Windham in and for said county of Windham on the 3d

Tuesday of September next, upon his giving sufficient bond at the county court to be held at Windham in and for the county of Windham on the 4th Tuesday of June next, for the prosecution of the same; and that said action proceed as though bond had been given at the county court that rendered the judgment aforesaid.

Upon the petition of Samuel Smith, of Suffield in the county of Hartford, against Ebenezer Moulton, of Brimfield in the Province of the Massachusets Bay, representing that on the 3d day of January, A. D. 1763, he made and executed to the said Ebenezer Moulton one certain note for the sum of forty-two pounds, lawful money, payable at or before the 25th day of January, 1761, and interest afterwards till paid; that the said Ebenezer Moulton brought his suit on the said note against the petitioner before the adjourned county court held at Hartford in the county of Hartford on the 3d Tuesday of January, 1763, and thereon obtained judgment and execution against the petitioner for £45 19*s*. 9*d*. damages, and £1 10*s*. 7*d*. costs of suit; that said note was given only for certain rights of land within said Province pretended to be conveyed by a certain Indian, called by the name of Motockson, (otherwise called Johannes Motockson,) of Stockbridge in said Province; that said Indian had no right to sell and convey any such rights of land, and all his pretentions thereto are nothing but a subtle delusion and a cheat, and that the petitioner had therefore no consideration for his giving of said note; praying for relief in the premises &c.: It is therefore resolved and decreed by this Assembly, that the said note by the petitioner given to the said Ebenezer Moulton, and the judgment thereon recovered, and everything relative thereto, shall be and the same is hereby annulled and made wholly void.

Whereas upon the petition of Joseph Denison, Esq^{r}, of Stonington, exhibited to this Assembly at their sessions in October last, representing to this Assembly that said petitioner recovered final judgment before the adjourned county court held at New London on the first Tuesday of February, 1763, against Robert Allen and Nathan Allen, both of Groton, for the sum of £204 4*s*. 8*d*. lawful money; that execution was granted on said judgment and duly levyed on certain lands in Groton supposed to belong to said Robert; that on account of passing sundry deeds of part of said land from said Robert to Park Allen, and from said Park to Joseph Allen, the title by virtue of said execution to thirty-eight acres and forty rods of said land upon which said execution was levyed was defeated &c.:

Hezekiah Huntington, Shubael Conant and Joseph Spencer, Esq^rs, were appointed a committee to take into consideration the matters contained in said petition and report thereon with their opinion to this Assembly at their present sessions: [203] And whereas said committee have ‖ reported to this Assembly that said Robert by his deed dated the 19th of May, 1762, conveyed said thirty-eight acres and forty rods of land with other lands to said Park Allen as a pledge &c., and that said Park Allen by his deed dated the 14th of October, 1762, conveyed the same to said Joseph, the petitionee, and that on the 22d of June, 1763, said execution was levyed on said thirty-eight acres and forty rods of land as the law directs, which was apprized at the sum of £153 0*s.* 0*d.* lawful money, &c., and that said petitioner has since brought his action to recover said thirty-eight acres and forty rods of land, and that on a final tryal said petitioner's title by virtue of said execution has been adjudged against him &c., and that the said Park in executing said deed to said Joseph and said Robert's receiving the payments, and said Joseph in all his acting and transacting thereabout, was with a design to defeat said petitioner of his debt, and that the estate of said Robert is so held and conccaled that nothing thereof is to be found to satisfie said debt, and that in equity said Joseph ought to convey to said petitioner said thirty-eight acres and forty rods of land or pay to said petitioner the sum of £153 0*s.* 0*d.* lawful money, with the interest thereon arising from the 16th of August, 1763, to the 8th day of May, 1766, as per petition and report on file, which report is approved and the same is hereby approved and accepted: And thereupon it is resolved by this Assembly, that the said petitioner shall have and recover of the said Joseph Allen the sum of £177 4*s.* 0*d.* lawful money, with cost, or in lieu thereof that said Joseph Allen make and execute to said petitioner a good authentick deed of said thirty-eight acres and forty rods of land bounded and described as in the return of said execution appears; and that in case the aforesaid Joseph Allen shall not by the first day of July, A. D. 1766, make and execute a good deed, as aforesaid, to said petitioner, that then execution shall be issued in favour of said petitioner against the said Joseph Allen for the said sum of £177 4*s.* 0*d.* lawful money, with cost [of suit] to be levyed in due form of law accordingly. *Cost allowed petitioner in this case is* £20 8*s.* 7*d.* 2, *lawful money.*

Upon the petition of Stephen Jorden, representing to this Assembly that he, when he was about ten months old, was left fatherless, and had left him by his father twenty-five

acres of land in said Voluntown, which land was under improvement and was by the guardian of said Stephen leased to one person and another till the said Stephen arrived to the age of twenty-one years, and that said Stephen was of low education, but little acquainted with men or things, that the last five years before he arrived to age he was in the King's service, that in the year 1764, he, said Stephen, lived in York government, that while said Stephen lived there came to him one Samuel Dorrance the 3d of said Voluntown, with whom said Stephen was acquainted and whom he took to be his friend, and informed said Stephen that every person to whom said Stephen was indebted was about to attach said land and to ruin said Stephen, and that he, said Samuel, came to him altogether for his relief, help and assistance, and advised and insisted that said Stephen should give to said Samuel a deed of said land, and that on said Stephen's return to said Voluntown [he] should have said deed, and that said Samuel would leave with said Stephen a certain horse, saddle, and one dollar, and endorse an execution against said Stephen for £3 0*s*. 0*d*. lawful money, satisfied, to which the said Stephen complied; that said Dorrance, contrary to agreement, kept said deed and land, and refused to make any settlement thereabout: praying for the interposition of this Assembly, that a committee be appointed to enquire into the matters in said petition, examine witnesses, parties &c., as by said petition &c.: Resolved by this Assembly, that Nathaniel Brown, Esq^r, of Preston, Mr. Boaz Stearns of Killingly, and Mr. Hough Wylee of Voluntown, be and they are hereby appointed a committee to enquire into and examine the matters in said petition set forth, to hear the parties, their evidences, and them examine under oath as they shall see best, hear their pleas, allegations, &c., relative to all matters in said petition mentioned, to consider said land, the improvements, betterments and value thereof, and everything relative thereto, and their judgment and opinion to make and report to this Assembly in October next.

Upon the petition of Hannah Clark and Shelden Clark, executors of the last will and testament of William Clark late of Derby, deceased, representing to the General Assembly in October last that, sometime in September, A. D. 1761, it was agreed conditionally between Enos Alling and Thomas Howel, merchants in company, and the said William Clark, that the said Clark should purchase of the said Alling & Howel a quantity of salt, which they then had stored in a warehouse in said Derby, if they could not otherwise better dispose of

the same, and that about the 25th day of December, A. D. 1761, at the instance and upon the proposal of the said Alling, the said agreement and bargain was relinquished and mutually released by the said parties to each other, and that sometime in February or March following the whole of said salt washed out of said store by a flood and totally [204] || destroyed and lost, and that the said Alling & Howel having some time after commenced a suit at law against the said Clark demanding payment for said salt, the matter was submitted to the arbitrament of arbitrators, who awarded that said Clark should pay half the value of said salt, for which he then gave his note to the said Alling & Howel, upon which note judgment has since been recovered against the petitioners; and that the said Clark at the time of giving said note was indisposed and incapable of recollecting the evidence of said release, and consequently could not produce it before the arbitrators, but that since that time the petitioners have found sufficient evidence to prove and establish that point; thereupon praying that a committee may be appointed to enquire into the matter in said petition complained of, and report make, as by said petition on file may more fully appear: upon which petition Messrs. Roger Sherman, Samuel Bishop jun^{r}, both of Newhaven, and Mr. Daniel Bennet of Stratford, were appointed by the General Assembly at their sessions in October last a committee with full power to enquire into all the matters complained of in said petition and make report of what they should find with their opinion thereon to that or the present Assembly; which committee not having made their report, by reason of the absence of some material witnesses: Resolved by this Assembly, that the said Roger Sherman, Esq^{r}, Messrs. Samuel Bishop jun^{r} and Daniel Bennet, be and they are hereby reappointed a committee with full power to enquire into all the matters in said petition complained of, and make report of what they shall find with their opinion thereon to this or the next General Assembly to be holden at Newhaven in October next.

Whereas upon the petition of Mortimer Stoddard of Groton, exhibited to this Assembly at their sessions in October last, representing that with the advice and consent of the selectmen of said Groton, purchased of Daniel Edwards of Groton about forty-six acres of land, for which said petitioner gave to said selectmen for the use of said Edwards a note payable for eighty pounds, and also paid sundry charges and discounted debts &c. to the amount of seventy pounds, lawful money; that on account of some circumstances attending the

executing said deed the same has been adjudged void &c. Hezekiah Huntington, Shubael Conant and Joseph Spencer, Esq^rs, were appointed a committee to take into consideration the original debt mentioned in said petition, with the costs and charges thereon arisen, and examine and consider all matters relative thereto. and report thereon with their opinion to this Assembly at their present sessions. And whereas said committee have reported that the original debt mentioned in said petition, together with the necessary costs and charges thereon arisen, amounts in the whole to the sum of forty three pounds thirteen shillings, and that the same ought to be paid back to the said petitioner with interest thereon from the 3d day of December, 1765, till the 8th day of May, 1766, as per petition and report on file, which report is hereby accepted and approved: It is thereupon resolved by this Assembly, that said petitioner shall have and recover of the said Daniel Edwards the sum of forty-four pounds fourteen shillings and nine pence, with cost, and that execution be granted accordingly. *Ex. granted May 30th*, 1766.

Upon the petition of Ebenezer Benton, of Hartford in Hartford county, exhibited to the General Assembly at their sessions in October last, therein representing that the south society in said Hartford some time in the year 1756, voted and agreed to raise by way of tax on themselves the sum of about two hundred pounds towards defraying the expence of finishing their meeting-house, and appointed Ebenezer Benton jun^r, the son of the petitioner, then being in full life, a collector to collect a part of said rate; that the committee of said society soon after made out a rate-bill, amounting to about the sum of one hundred and nineteen pounds, being part of said two hundred pounds, and the same delivered to the said Ebenezer jun^r, who received the same and proceeded forthwith to collect and pay into the hands of said societies committee about twenty-seven pounds; that soon after great and unexpected difficulties arose in said society respecting the collecting said rate, and that thereupon said committee ordered said collector to cease any further collection of the residue of said rate until he should be ordered again to proceed, which was not done until some time *anno Dom.* 1760, when said committee anew ordered to proceed to collect said rate; and that before he could have opportunity to do anything towards it he was by sickness disabled, and continued disabled from collecting said rate by his said sickness until his death, which happened sometime in the year 1764: and that said committee, said sickness notwithstanding, a little before the death of said

collector took out a warrant of distress against said collector, to compel him himself to pay the residue of said rate, though he had been unable to collect any of it, and that the sheriff of said county, into whose hands said warrant had been delivered, when said collector lay at the point of death, applied to him to demand the same. The petitioner at that time being present and greatly grieved and hurt, out of compassion to his said distressed son, (who soon after dyed,) was induced to [205] satisfie the demand of said || warrant, on being assured that he might have liberty to make use of said rate-bill to reimburse himself, and that he has collected on said rate about the sum of thirteen pounds only since that time, and that said society appointed and authorized a new collector to collect in all the residue of said rate and to pay it to the society committee, although they had been paid the whole of it before, and that the petitioner had been thereby wronged by said society out of a large sum of money, and that they wholly refuse to do him right in the premises; thereupon praying that a committee may be appointed to enquire into the matter in said petition complained of and report make; whereupon said Assembly at their said sessions in October, 1765, did resolve that Erastus Wolcott, Esq'. Capt. Ebenezer Grant and Capt. Nathaniel Loomiss, be appointed a committee to enquire into all the matters in said petition contained and complained of, and to report &c. to said Assembly or to the next General Assembly to be holden at Hartford in May then next, with their opinion thereon; and said committee having now made their report to this Assembly, that upon the whole matters referred to their consideration it is their opinion that said society render and pay unto the petitioner the sum of £35 18*s*. 4*d*. and £4 6*s*. 0*d*. for interest, amounting in the whole to the sum of forty pounds four shillings and four pence, lawful money: Whereupon it is resolved by this Assembly, that the said Ebenezer Benton have and recover of the inhabitants of said second ecclesiastical society in Hartford, otherwise called the south society in Hartford, the sum of forty pounds four shillings and four pence, lawful money, and his just costs; and the Secretary of this Colony is hereby directed to issue execution thereon accordingly. *The cost taxed and allowed to the petitioner is* £20 2*s*. 8*d*. *lawful money. Ex. granted Sept.* 19*th*, 1766.

Upon the report of Messrs. John Chester, Jabez Hamlin and Jonathan Wells, a committee appointed by this Assembly on the petition of James Richardson of Stonington, representing that he had a controversie with Benjamin Ban-

croft of Suffield, relating to their book accompts, charter of the sloop Gull, as also some goods and merchandize said to be received by the petitioner to sell for the said Bancroft in the Havanna in the year 1762, which controversies had been referred to arbitration and an award thereon made, in consequence of which judgment had been obtained by said Bancroft against the petitioner for the sum of £493 13*s*. 10*d*. lawful money, &c.; reporting that having first notified the said parties they met at the house of Moses Butler in Hartford on the second day of April last, and having fully examined their accounts and duly considered the proofs and allegations of the parties and heard them by their council thereon, that they were of opinion that on the several accounts and matters aforesaid there is due to the said Bancroft from the said Richardson the sum of one hundred and thirty-two pounds seventeen shillings and three farthings, lawful money, in the whole: It is therefore resolved and decreed by this Assembly, that the said James Richardson shall pay unto the said Benjamin Bancroft the aforesaid sum of one hundred thirty-two pounds seventeen shillings and three farthings, lawful money, and that execution be thereon awarded, and that the aforesaid judgment recovered by said Bancroft against the petitioner in consequence of said former award be and the same is hereby decreed to be null and void. *Cost taxed and allowed to said Bancroft* vs. *said Richardson is* £9 15 4, *lawful money*. *Ex. granted June 9th*, 1766.

Upon the petition of Jabez Hall, of New Fairfield in Fairfield county, representing to this Assembly that Nathan Hurlburt, of Sharon in Litchfield county, in the year 1763, bargained and sold to the petitioner a certain right in the Susquehanna Land, so called, for the consideration of twenty-five pounds, money, which was then secured to the said Hurlburt by note of hand dated January 18th, 1763, with interest; that at the time of executing and delivering the said note the said Hurlburt did fully agree with the petitioner that he would deliver to the petitioner a good sufficient warranty deed of said right at or before the 10th day of June next after the date of said note, and in case he should not deliver such deed by that time that the petitioner should never pay any part of said note nor be sued thereupon, or if he should pay any part of said note that the money by him paid should be returned if such deed was not delivered; that the said Hurlburt never delivered the petitioner any deed of said right, but in violation of said agreement (having received £5 15*s*. 0*d*. on said note) ordered the same to be put in suit and himself abscond-

ed out of the government, leaving no estate in this Colony; that the petitioner having pleaded the matter of said agreement in bar of said action at law on said note and thereon obtained judgment in his favour before the county court in the county of Litchfield, said judgment of said county court has been reversed and set aside by the superior court held at Litchfield in said Litchfield county, and the petitioner been [206] ‖ compelled to pay a large sum for damages and cost; praying that said note be made void, and the monies by him paid and so taken from him be restored &c., as per said petition on file: Resolved by this Assembly, that the said note be and the same is hereby made null and void, and the duty thereof extinguished to all intents, constructions and purposes whatsoever, and that the petitioner shall have and recover of the said Hurlburt the monies by him paid in part of said note and which have been taken from him by said judgment of said superior court, amounting in the whole to the sum of £13 3 6, money, and that execution issue accordingly. *Ex. granted May 30th*, 1766.

Upon the petition of Benjamin Tracey and Olive his wife, Mercy Killam and Hepzibah Killam, all of Preston in New London county, representing to this Assembly that John Killam late of said Preston, deceased, the father of the said Olive, Mercy and Hepzibah, in and by his last will and testament bearing date the 9th day of February, A. D. 1753, gave and bequeathed unto his said three daughters of his personal estate in specific legacies to the amount of £145 2*s*. 10*d*. lawful money, at apprisement as set in the inventory of the estate of said deceased, and that after the death of said deceased judgments were recovered against the executor of said deceased and other expences arisen, so that the executor of said deceased hath taken almost the whole of said legacies given to said three daughters to pay the debts due from the estate of said deceased, whereby they are deprived of their said legacies &c., and praying that a judicious committee may be appointed to examine into said matters and the several legacies given to the legatees of said deceased, and that said legatees may be ordered and obliged to pay each one his just proportion to the said three daughters of what sums or legacies they have lost and been deprived of in manner aforesaid, as per their petition on file: Resolved by this Assembly, that Messrs. Colo. Samuel Coit and Nathaniel Brown, Esq^{r}, of Preston, and Capt. Richard Hide of Norwich be and they are hereby appointed a committee to call before them, at such time and place as they shall appoint, all the legatees to whom said

deceased gave and bequeathed any legacies or part of his estate in and by his said last will and testament, or their legal representatives, and examine into the disposition of said estate in and by said will, and also all the matters mentioned and contained in said petition and circumstances relating thereto, and to determine and ascertain in their opinion what sum or sums any or all of said legatees or their legal representatives in justice and equity ought to contribute and pay to the petitioners on account of said specific legacies to them given as aforesaid, or whether anything ought to be paid by said legatees or any of them, and to make report of what they find together with their opinion thereon to this Assembly at their sessions in October next.

Upon the petition of Nathaniel Flynt, of Windham in Windham county, representing to this Assembly that the proprietors of the common and undivided land in said town of Windham at their meeting on the 28th day of May, A. D. 1750, voted and agreed to sell certain lands described in said vote, which they claimed as common land in said Windham, and appointed John Fitch, Jacob Simons and Joseph Huntington, or any two of them, a committee to make sale of said lands; that said Fitch and Symons in said capacity as committee did by their deed executed the 28th day of November, 1750, sell and convey to the petitioner about one hundred and fifty-five acres, part and parcel of said lands, and therein covenanted that the petitioner, his heirs and assigns, by force of said deed should forever have, hold and enjoy said lands in said deed described, free and clear of all incumbrances whatsoever; that the petitioner afterwards sold and conveyed unto John Badlake about one hundred and three acres, part and parcel of said lands in his deed contained; that said proprietors afterwards did approve and justifie what said committee had done; that said Badlake has since been evicted of said lands by him purchased, and that the proprietors and their said committee at the time of said vote and their deed past as aforesaid had no right or title in or unto said land &c.; praying for relief, as per petition on file may more fully appear: Resolved by this Assembly, that William Wolcott of Windsor, Colo. Ebenezer Williams of Pomfret, and Robert Dixon of Voluntown, Esq^{rs}, be and they are hereby appointed a committee to repair to said Windham and examine into all the matters contained in said petition and circumstances relating thereto; and of what they find, together with their opinion thereon, to make report to this Assembly at their session in October next.

[207] Upon the petition of Salmon Kingsly, of Windham in Windham county, representing to this Assembly that the proprietors of the common and undivided lands in said Windham at their meeting on the 28th day of May, A. D. 1750, voted and agreed to sell certain lands described in said vote, which they claimed as common and undivided land in said Windham, and appointed John Fitch, Jacob Symons and Joseph Huntington, or any two of them, a committee to make sale of said lands; that said Fitch and Symons, in said capacity as committee, did by their deed executed the 27th day of December, A. D. 1750, bargain, sell and convey to one Jacob Woodward about eighty acres, part and parcel of said lands, and therein covenanted that the said Woodward, his heirs and assigns, by force of said deed should and might forever have, hold and enjoy said lands in said deed contained, free and clear of all incumbrances whatsoever; that the said Woodward by his deed executed the 12th day of May, A. D. 1756, for the consideration of seventy-five pounds, lawful money, sold and conveyed the same lands to the petitioner, who entered upon and began to improve the same, and expended much labour and cost thereon; that the petitioner has since been evicted of said lands and put to great trouble and cost therein, and said Woodward dyed insolvent; that the proprietors did approve of and justifie the doings of said committee &c.; praying for relief, as per petition on file more fully may appear: Resolved by this Assembly, that William Wolcott of Windsor, Colo. Ebenezer Williams of Pomfret, and Robert Dixon of Voluntown, Esq^{rs}, be and they are hereby appointed a committee to repair to said Windham and examine into all the matters in said petition contained and circumstances relating thereto; and of what they find, together with their opinion thereon, to make report to this Assembly at their sessions in October next.

Upon the report of Samuel Talcott and John Ledyard, Esq^{rs}, a committee appointed by this Assembly at their sessions in Hartford in May, 1765, and reappointed at their sessions in October last, to examine into the matters referred to in the petition of Joseph Olcott of said Hartford against Silas Dean of Weathersfield and Mehitabel his wife, administratrix on the estate of Joseph Webb of said Weathersfield, deceased, wherein is represented that on or about the month of March, 1758, he was indebted to Joseph Webb, of Weathersfield, since deceased, and then gave his note to him, the said Webb, for four hundred pounds, York money, payable in September then next; that afterwards he paid to said Webb on account of said note one hundred pounds, lawful money, which ought to have

been endorsed thereon, but never was done in his, said Webb's, life time; that said Webb afterwards brought his action on said note against the petitioner and recovered a judgment for the whole sum of said note and interest thereon, and had execution &c., which the petitioner hath been obliged to pay without any allowance for said hundred pounds, lawful money, paid as aforesaid &c.; reporting that in pursuance of said appointment, (after having twice duly notified the parties to attend on said affair, which the petitioners neglecting to do,) they proceeded to hear the petitioner, and found that in April, 1759, he did pay to said Webb, on account of said note, seventy-five pounds sterling, equal to one hundred pounds lawful money, for which he ought to have had allowance, but had not; that he hath since paid and satisfied a judgment of court for three hundred thirty-seven pounds seven shillings, lawful money, debt, and twenty-three shillings and five pence cost of suit, obtained by said Webb against the petitioner, for the whole of said note with the interest to the time of said judgment, and found also that the petitioner did pay interest till he made payment of said execution; and that it is their opinion that the said petitioners ought to pay to the petitioner the sum of one hundred pounds and interest thereon from the time said Webb received the same, being forty-two pounds ten shillings: It is therefore resolved and decreed by this Assembly, that the said Silas Dean and Mehitabel his wife, administratrix as aforesaid, shall pay unto the said Joseph Olcott the aforesaid sums, being in the whole one hundred and forty-two pounds ten shillings, lawful money, and that execution be awarded accordingly. *Ex. granted June 4th*, 1766.

Whereas Joseph Hopkins, Esq^{r}, Capt. Stephen Upson jun^{r} and Mr. Joseph Hull jun^{r} were appointed by the General Assembly of this Colony held at Newhaven in October last a committee to lay out a highway from the court-house in Newhaven through the society of Oxford to the meeting-house in the society of Southberry in the town of Woodberry, and particularly mark out and bound the same in all those places where it should [be] found needful to alter or vary from the highways before laid out, and to lay out the same as near as might be with conveniency agreeable to the description con-
[208] tained in a resolve of the General || Assembly passed on the memorial of John Rose and others in May, 1765; which committee have reported to this Assembly that they have laid out said highway as follows, *viz:* Beginning at a heap of stones in the north line of Ebenezer Brownson's land in said society of Southberry by the south side of a highway that leads

from said Brownson's dwelling-house to Southberry meeting-house, and from thence run south thirty-six degrees east twenty-two rods on said Brownson's land to a heap of stones in the east line of his land; from thence south thirty-three degrees east seventeen rods to a heap of stones; then east thirty-eight degrees south one hundred and six rods to a heap of stones in the east line of Stephen Curtis's land; then south thirty-three degrees east ten rods to a white-oak tree with stones laid to it, which is a bounds of Capt. Benjamin Stiles's land; said highway is laid four rods wide on the northeasterly side of the lines and boundaries aforesaid; then from said white-oak tree in a highway formerly laid out between Capt. Timothy Hinman's land and John Towner's land to the highway leading by said Towner's dwelling-house; then southwesterly in the last mentioned highway to the line between the towns of Woodberry and Derby, a little southward of Joseph Towner's dwelling-house; from thence east forty-one degrees south sixty-four rods on said Joseph Towner's land; then south thirty-eight degrees east one hundred thirty-six rods on Capt. Joseph Osborn's land; then east twenty-one degrees south twenty-five rods on said Osborn's land to Nathan Buckingham's land; then east forty degrees south thirty-three rods on said Buckingham's land, bounded on each side at every turn or angle by a heap of stones, it being four rods wide; then east twenty-eight degrees south fifty-two rods through said Buckingham's meadow, three rods wide, running a little southward of said Buckingham's dwelling-house, to the old highway leading to the meeting-house in said Oxford society; then in said old highway by said meeting-house to the upper bridge in Derby over Nagatuck River; and that the owners of the lands through which said highway is laid in said Woodbury and Derby have been satisfied for their several damages sustained thereby by said towns respectively; and that from said bridge there is a highway open and used for travelling by Bladen's Brook and Isaac Ford's dwelling-house to the court-house in said Newhaven, which might be altered in some places so as to shorten the travel about one hundred and eighty rods and make it much better, but that they did not make said alterations, because they were informed by a committee of the town of Newhaven that there might be a highway made from said bridge to pass by the meeting-house in the society of Amity to said court-house, which would be a mile shorter than the other way and as good for travelling &c., and therefore thought it might be best for the public and most satisfactory to the parties concerned that a committee be appointed to view both

places and lay out said highway where they shall judge best &c., as by said report on file appears; which report is accepted and approved by this Assembly: And it is thereupon resolved by this Assembly, that the highway from said Ebenezer Brownson's dwelling-house to said bridge as the same is laid out and described by said committee aforesaid shall be and remain a public highway and be laid open and all fences and incumbrances removed from off the same by the first day of October next, and all fences and other incumbrances continued on said highway after the time aforesaid shall be deemed a common nuisance, and it shall and may be lawful for any person to remove the same as such. And it shall be the duty of the surveyors of highways in the respective towns in which said highway is laid, and they are hereby directed, to take effectual care that the same is speedily cleared and made good, and from time to time kept in good repair in the same manner as other public highways are by law required to be. And it is further resolved, that Daniel Sherman and Benjamin Hinman, Esq^rs, and Capt. Benjamin Stiles be and they are hereby appointed a committee to lay out a highway from the aforesaid bridge in Derby to the court [house] in Newhaven; and they are hereby directed first to give notice thereof to one or more of the selectmen of each of the towns in which the same may be laid out, and carefully view the several places proposed, and hear all parties concerned, and lay out said highway where they shall judge best to accommodate the public, and particularly mark out and bound the same by some suitable monuments in all those places where they shall find it needful to vary from the highways already laid out; and that the cost of laying out the same shall be paid by the respective towns within whose bounds the same shall be laid out, and also the damages that any particular person may sustain in their lands or property thereby shall be paid by the respective towns in which such lands are situate, as the selectmen of such towns and the persons interested may agree, or as the same shall be apprized by [209] said || committee, who are hereby authorized (if need be) to apprize the same; and that the said committee make report of their doings in the premises to the General Assembly to be holden at Newhaven in October next.

Upon the memorial of Wait Hinman and others, inhabitants of the westerly and southwesterly parts of the parish of Southberry in Woodbury, representing to this Assembly that they live at a great distance from the place of public worship in said society; that they are put to great difficulties; praying for the priviledges of an ecclesiastical society by a line

drawn from the north line of said parish to the south line thereof in such direction as to pass straight by the houses of Stephen Brownson and Eldad King, or by any other line &c.: Oliver Wolcott, Moses Lyman and Samuel Nash, Esq^rs, were at the General Assembly held at Newhaven, 2d Thursday of October, 1765, appointed a committee to repair to said parish of Southberry and to examine into and view the situation and circumstances of the memorialists and all others living within the limits prayed for &c., and to make report; which committee having reported that it is convenient that an ecclesiastical society should be made in the westerly and southwesterly parts of said parish by a line drawn from the south line of said parish, beginning half a mile easterly from the northwest corner of Derby in the course of the line dividing Derby from said parish; from thence in a straight line to the center of the house of Hezekiah Porter; from thence in a straight course to one rod distance westerly from the house of William French, and so on in a straight course to the north line of said parish; and the said report of said committee being accepted and approved, as per said memorial and report on file appears: Resolved by this Assembly, that all the inhabitants included within the lines above described by said committee be and they are hereby made, created and established a distinct ecclesiastical society, and shall be and remain an entire, distinct ecclesiastical society, with all the priviledges and powers usually belonging to ecclesiastical societies in this Colony, and shall be called and known by the name of South Britain; and that said inhabitants shall be and they hereby are freed from the payment of a certain rate or tax of twelve pence on the pound lately granted and made by the society of Southberry for the purpose of building a meeting-house in said Southberry society. And it is further resolved, that Hezekiah Porter, living within said lines, shall have liberty to attend and support public worship and all contingent parish expences either in said parish of Southberry or in said South Britain.

Whereas upon the memorial of John Hall 2d and others, inhabitants of the society of Wells in Wallingford, at the General Assembly in October last, the Hon^ble Jonathan Trumbull, Jabez Hamlin and John Lawrence were appointed a committee to enquire into the state and value of the old meeting-house in the first society in said Wallingford and the other temporal interest late belonging to said first society, and also into the grievances complained of concerning certain taxes mentioned in the memorial preferred to the Assembly

in May, A.D. 1763, by the said John Hall 2d and others, and report their opinion thereon, what in equity the said society of Wells ought to receive of said first society for their interest in said old meeting-house &c.; and whereas said committee have reported to this Assembly that the said first society pay to the said society of Wells the sum of sixty pounds, money, in full satisfaction for all the right claimed by said society of Wells in said meeting-house, and that the bell now hanging in the steeple in said house be and remain for the common use and benefit of both said societies, and that the cost of ringing said bell, keeping it in repair for ringing &c., be paid equally by said societies; and with respect to the said taxes complained of, that no taxes granted since the 5th day of December, A.D. 1758, by the said first society ought to be collected of any of the inhabitants now belonging to said society of Wells; as per memorial and report on file, which report is approved and the same is hereby approved and accepted: And thereupon it is resolved by this Assembly, that John Morse and the rest of the inhabitants of said first society in Wallingford pay unto Eliakim Hall and the rest of the inhabitants of said society of Wells said sum of sixty pounds, money, and that execution therefor be issued accordingly; and that the bell now hanging in the steeple in said meeting-house shall be and remain for the common use and benefit of both said societies, and that the cost of ringing said bell and keeping the same in repair for ringing shall be paid equally by said societies, and that no taxes granted by said first society since the 5th day of December, 1758, shall be collected of any of the inhabitants belonging to said society of Wells at the date of said report, and that all said inhabitants be acquitted therefrom. *Ex. granted October 21st*, 1766.

Upon the memorial of Edward Higbey, Nathaniel Gilbert, Benjamin Adkins and others, some living within the first, and some living within the second societies in the town of Midletown in the county of Hartford, representing that they [210] live in the northwest part ‖ of said town of Midletown, and are become numerous, and that they live very remote from the places of public worship where they severally belong, whereby they and their families are hindered of the benefit of the public ministry the greatest part of the year &c.; that they are now of ability to maintain the gospel and to support a minister among themselves; praying to be made a distinct ecclesiastical society, with all those living within these certain limits following, *viz:* Beginning for the southeast corner at

the great stone called the Stone Horse-Block, from thence northerly in a straight line to the west swamp bridge next east from Josiah Bacon's dwelling-house, and from thence northerly as the brook runneth till it come to the north line of the lot originally belonging to Samuel Collens in the New Field Quarter; thence eastwardly as the north line of said Collins's lot to the Ferry River; then to run northerly the course of said river, and as the river runneth till it comes to the north line of Israel Wilcox's lot; thence to run in a straight line to the southeast corner of the mile and half, so called; then to run by the south line of the said mile and half till it come opposite to the mountain a little east of John Kirby's house, then to run on the top of the mountain till it comes to the west bounds of Midletown; then by the west bounds of Midletown to the northwest corner of Midle-Field parish; then by the north line of Midle-Field parish till it comes to the first mentioned corner at the stone horse-block, as per memorial on file &c.: Whereupon it is resolved by this Assembly, that the memorialists and all others living within the limits and bounds before and above described be and they are hereby made a distinct ecclesiastical society, and the same shall be known and called by the name of West-Field, and shall have the same powers and priviledges as other ecclesiastical societies in this Colony do enjoy.

Upon the memorial of Simeon Avery, executor of the last will and testament of Samuel Chappel, representing to this Assembly that the debts due from said estate surmount the personal estate of said Chappel the sum of £38 3 11, lawful money; praying for liberty to sell so much of the real estate of said Chappel as to raise said sum with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the said Simeon Avery have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate of said Chappel as to raise said sum of £38 3 11 and incident charges arising thereon; taking the direction of the court of probate in the district of New London therein.

Upon the memorial of Robert Cleland of New London, shewing to this Assembly that he has taught the Indian school at Mohegan for the space of fourteen years; that for eleven years of the time he has been paid out of the public treasury of this Colony the sum of five pounds per year; that for the three last years he performed that service he has had no allowance &c.; praying that he may be allowed five pounds per year for said three years &c., as per memorial on file: Re-

solved by this Assembly, that the sum of fifteen pounds be paid to the said Robert Cleland out of the public treasury of this colony, for his three years service as aforesaid; and the Treasurer of this Colony is hereby ordered and directed to pay the same accordingly.

On the memorial of Joseph Putney and Mary Putney, administrators on the estate of Simeon Wakefield late of Killingly, deceased, shewing to this Assembly that the debts already paid, and the debts yet due from said estate, and some allowances made by the judge of the court of probate for the district of Pomfret for the maintenance and bringing up two of the children of said deceased, surmounts the personal estate of said deceased the sum of £16 15 2, lawful money; praying liberty to sell land &c.: Resolved by this Assembly, that John Jacobs of Killingly be and he is hereby appointed and impowered, to make sale of so much of the real estate of said deceased as will raise said sum of £16 15*s*. 2*d*. lawful money, with the incident charges of said sale; taking the advice and direction of the court of probate in the district of Pomfret therein.

Upon the memorial of Timothy North of Farmington, shewing to this Assembly that on the 21st day of April last his house was burned to ashes, and also about nineteen shillings in bills emitted by this Colony was burnt at the same time; praying that the same might be paid him out of the public treasury &c., as per memorial on file: Resolved by this Assembly, that the sum of nineteen shillings be paid to the said Timothy North out of the public treasury; and the Treasurer is hereby ordered to pay the same.

[211] Upon the memorial of the first society in Coventry, shewing to this Assembly that the place established by the county court for building a new meeting-house in said society is inconvenient &c., and that said society had voted and agreed that the place for building said meeting-house should be by the old school house, thirteen rods and eighteen links east twenty-two degrees south from the stake established by said county court: It is resolved by this Assembly, that the place whereupon to build said meeting-house in said society be established to be by the old school-house, thirteen rods and eighteen links east twenty-two degrees south of the stake established by said county court, and the same is hereby established to be the place whereupon to build a new meeting-house in said first society in Coventry.

Upon the memorial of Joseph Pease, James Shepard and

Obedience his wife, late Obedience Trumble of Suffield in the county of Hartford, sole executrix of the last will and testament of Joseph Trumble late of said Suffield, deceased, representing that the said Joseph Trumble in his life time, on the 10th day of August, 1760, for a valuable consideration did by his deed of that date under his hand and seal sell and convey unto the said Joseph Pease a certain piece of land in said Suffield containing ten acres, bounded and described as in said deed appears; that so it happened that the said Joseph Trumble soon afterwards dyed, and never acknowledged said deed, though he fully intended to do the same &c.; praying that said deed so executed may be accounted valid and effectual in the law for the passing said lands &c.: Resolved by this Assembly, that the deed aforesaid may be entered on the public records of said town of Suffield, and that the same so entered, or an exemplification thereof from such record, shall be as good evidence in the law for the transferring and passing of the title to said land to all intents and purposes as though the same had been acknowledged by the said Joseph Trumble in his life time.

Upon the memorial of John Winchester Dana of Pomfret, executor of the last will and testament of Isaac Dana junr, late of said Pomfret, deceased, representing to this Assembly that said deceased was an ensign in General Lyman's regiment in the expedition against the Havanna, A. D. 1762, and in his return homewards was taken sick and dyed at New York, and necessarily expended in said sickness £51 17*s.* 0*d.* New York money, which was paid by Lieut. Colonel Israel Putnam &c; and praying said executor may be paid said sum out of the treasury of this Colony &c.: Resolved by this Assembly, that the Treasurer of this Colony pay to said executor out of the Colony treasury the sum of fifteen pounds, proclamation money or bills of this Colony, towards the defraying the expence of said deceased incurred in his sickness aforesaid.

Upon the memorial of Thomas Morley, executor of the last will and testament of Elihu Wright, late of Glastonbury in the district of Hartford, deceased, shewing that the debts and charges due from the estate of said deceased for which no certificate heretofore has been given surmounts the moveable estate of said deceased the sum of £3 10*s.* 0*d.* lawful money; moving to this Assembly for liberty to sell so much of the real estate of said deceased as will raise said sum: Resolved by this Assembly, that liberty be granted, and liberty is hereby granted to the memorialist, to sell of the real estate

of said deceased to raise said sum of £3 10*s.* 0*d.* with charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Samuel Stilson, of New Milford in Litchfield county, shewing to this Assembly that he, the said memorialist, served as a sergeant in one of the companies raised in this Colony for his Majesty's service in the campaign against Crown Point in the year 1759, and was taken sick in said service, of which he languished for a long time after he returned home, and by means thereof lost the use of one of his hands and is disabled for labour &c., and praying for licence to trade as a pedlar in this Colony during pleasure &c., as per memorial on file: Resolved by this Assembly, that liberty be and is hereby granted to said Samuel Stilson to trade as a pedlar in this Colony during the pleasure of this Assembly.

Upon the memorial of Aaron Skinner and others, proprietors and principal inhabitants of the town of Colchester, shewing to this Assembly that there has been much altercation between the memorialists and the inhabitants of the town of Hebron about the north bounds of said town of Colchester and the south bounds of the town of Hebron; praying to have the same established and confirmed according to the grant and patent of said Colchester in the place and in the manner as is particularly specified and set forth in the said memorial &c., or that a committee be appointed to view and make report &c., as by the memorial on file: Resolved by this Assembly, that Zebulon West, Esq^r, Colo. Hezekiah Brainerd and Mr. Isaac Tracey be and they are hereby appointed a committee, with full power to examine into the whole matter and circumstances of said divident line between the said towns of Colchester and Hebron, and make report of what they shall find in the premises to this Assembly in their present or next sessions.

[212] The Sums Total of the Additions (single and fourfold) to the Lists of the several Towns in this Colony sent in to this Assembly are as follow, viz:

	Single.						Fourfold.		
Hartford,	1271	13	0	-	-	-	480	13	0
Windsor,									
Weathersfield,	1316	8	3	-	-	-			
Middletown,	772	8	0	-	-	-	629	0	0
Farmington,	195	0	0	-	-	-	670	12	0
Symsbury,	192	8	0	-	-	-			
Haddam,	182	18	0	-	-	-	344	0	0
East Haddam,	2300	0	0	-	-	-			

Colchester,	330	2	6	-	-	-	411	7	0
Hebron,	1590	0	0	-	-	-			
Glastonbury,	375	2	0	-	-	-	10	16	0
Bolton,	142	9	0	-	-	-			
Willington,	170	10	0	-	-	-			
Stafford,	291	10	6	-	-	-			
Tolland,									
Suffield,									
Enfield,	70	2	0	-	-	-			
Sommers,									
New Haven,	1646	4	0	-	-	-	298	0	0
Milford,	520	13	9	-	-	-			
Guilford,	302	14	0	-	-	-	108	17	6¾
Branford,	725	4	0	-	-	-			
Wallingford,	1437	1	0	-	-	-	933	12	0
Derby,	581	17	0	-	-	-			
Waterbury,	383	17	5	-	-	-			
Durham,	39	0	0	-	-	-			
New London,	1157	9	0	-	-	-	4476	0	0
Norwich,	752	1	2	-	-	-	555	2	0
Saybrook,	1600	0	2	-	-	-			
Stonington,	1964	5	4	2	-	-	1188	19	0
Killingworth,	183	2	4	-	-	-			
Lyme,	1293	17	6	-	-	-	270	0	0
Groton,	612	11	0	-	-	-	1000	4	0
Preston,	2055	19	0	-	-	-	276	14	0
Fairfield,	847	3	6	-	-	-	481	10	6
Stratford,	2746	11	9	-	-	-			
Norwalk,	833	6	3	-	-	-	224	4	0
Stamford,	314	18	0	-	-	-	645	14	0
Greenwich,	3238	16	0	-	-	-	494	0	0
Danbury,	2755	18	3½	-	-	-	1422	7	7
Newtown,	193	17	1	-	-	-	44	0	0
Ridgefield,	256	5	5	-	-	-	245	16	0
New Fairfield,	1017	6	6	-	-	-	339	12	0
Windham,	2079	8	7	-	-	-	12	0	0
Lebanon,	657	16	0	-	-	-	675	18	0
Plainfield,	659	0	0	-	-	-			
Canterbury,	1839	17	3	-	-	-	561	0	0
Mansfield,	1363	0	0	-	-	-			
Coventry,	29	6	0	-	-	-	63	2	0
Pomfret,	607	7	6	-	-	-			
Killingly,	499	0	0	-	-	-			
Ashford,	591	10	0	-	-	-	84	0	0
Voluntown,	196	0	0	-	-	-			

Woodstock,	1054	0	0	-	-	-	152	0	0
Litchfield,	1278	0	0	-	-	-	625	4	0
Woodbury,	1540	17	10	-	-	-			
New Milford,	517	14	8	-	-	-	153	16	0
Harwinton,	76	17	0	-	-	-	120	8	0
New Hartford,	27	10	0	-	-	-			
Salisbury,	2352	15	0	-	-	-			
Kent,	258	0	0	-	-	-	72	0	0
Cornwall,	207	0	0	-	-	-			
Goshen,	143	18	0	-	-	-			
Torrington,	12	0	0	-	-	-	12	0	0

[213] Upon the memorial of Joseph Hopkins of Waterbury, shewing to this Assembly that one Isaac Frazier, a transient person, did feloniously break open the shop of the memorialist in said Waterbury in the night between the 5th and 6th days of October last, and did steal and carry away a large quantity of goldsmith's wares with some monies, and that said memorialist employed sundry men and horses in pursuing said fellow, who found him at South Kingston in the Colony of Rhode Island and from thence brought him to said Waterbury, from whence he was committed to prison at Newhaven, where he was convicted at the suit of the King before the superior court and punished, and that the cost of pursuing, taking and bringing to justice said felon amounted to £32 4 8½, for the payment of which said felon was bound by said superior court to the memorialist, but continued in service but four days and then absconded; and praying for relief by the payment of said £32 4 8½, or any part thereof, as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay out of the public treasury to the said Joseph Hopkins the sum of £9 2 7, lawful money or bills of this Colony, (being the sum he expended after he had taken said felon and recovered his goods,) in bringing said felon to justice.

Upon the memorial of the Reverend Ebenezer Wheelock of Lebanon, representing to this Assembly that the Assembly at their sessions in May, A. D. 1763, granted said memorialist the benefit of a Brief throughout this Colony, for the support and encouragement of the Indian Charity School under his care; that before said brief was generally read in the several congregations to which it was directed, it was thought prudent to suspend the further reading the same, on account of some hostilities committed by the Indians, until a more favourable opportunity; that said school is yet continued and the numbers and expences greatly increased in supporting a number of missionaries and school-masters among the Indians &c., and praying

that said brief may be again revived and properly encouraged, as per memorial on file: This Assembly do thereupon grant and order a Brief throughout this Colony, recommending it to all persons charitably and liberally to contribute to such pious and important design; and that the monies so collected be by the persons therewith intrusted in the several congregations delivered as soon as may be to the said Mr. Wheelock, taking his receipt therefor, to be by him applied for the use and benefit of said school, as prayed for. And it is further resolved, that printed copies of this act be seasonably delivered to the several ministers of the gospel in this Colony, who are hereby also directed to read the same in their several congregations, and thereon appoint a time for making such contributions.

This Assembly do appoint Hezekiah Huntington and Jabez Huntington, Esq[rs], a committee to repair to the town of Groton, enquire into the condition and circumstances of the Indians in said town and their lands, and what is necessary to be done for their relief and help, to civilize, instruct and christianize them, with full power and authority to give order and direction for doing whatever they shall find necessary presently to be done for their relief, for schooling and preaching among them, and to draw on the Treasurer of this Colony for money to discharge the expences arising thereby, not exceeding the sum of twenty pounds, lawful money; and that said committee report what they find to be [the] condition of the Indians and circumstances of the land belonging to them in said town, their doings in pursuance hereof, and their opinion on the whole subject matter, to the General Assembly of this Colony to be holden at Newhaven on the 2d Thursday of October next.

On the petition of George Olcott, of Hartford in the county of Hartford, *vs.* Joseph Olcott of Hartford aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

Cost allowed to Moses Meach, of Stonington in the county of New London, for attendance &c. to answer the petition of Roger Gale, late of Groton in the county of New London, and Benjamin Appleton, of New London in the county of New London, by them brought against him, the said Meach, to this Assembly and withdrawn, is £3 10 6, lawful money. *Ex. granted June 9th*, 1766.

This Assembly grants to his Honour the Governor the sum

of one hundred and fifty pounds, for the first half of his current year's salary.

[214] *Resolved and ordered by this Assembly*, That the Treasurer of this Colony pay to the Honorable William Pitkin, Esq^{r}, Governor of this Colony, the sum of one hundred and fifty pounds, for the first half of his salary for the current year.

This Assembly grants to his Honour the Deputy Governor the sum of fifty pounds, for the first half of his current year's salary.

Resolved and ordered by this Assembly, That the Treasurer of this Colony pay to the Hon^{ble} Jonathan Trumbull, Esq^{r}, Deputy Governor of this Colony, the sum of fifty pounds, for the first half of his salary the current year.

This Assembly grants to Joseph Talcott, Esq^{r}, Treasurer of this Colony, the sum of one hundred and sixty pounds, for his salary the year passed.

This Assembly grants to Mr. Secretary Wyllys the sum of twenty pounds, for his last year's salary.

Resolved and ordered by this Assembly, That the Treasurer of this Colony pay to George Wyllys, Esq^{r}, Secretary of this Colony, the sum of twenty pounds, for his salary the year passed.

Ordered by this Assembly, That the Treasurer of this Colony pay out of the public treasury unto Timothy Green, printer, the sum of ten pounds nine shillings and six pence, lawful money, being the full of an account exhibited by said Green to this Assembly for his service in printing, and for several disbursements made by him for and on account of this Colony since October last.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

George Wyllys, Secret'y.

[215] *Anno Regni Regis Georgii tertii sexto.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEWHAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRTY-FIRST DAY OF THE SAME MONTH, ANNOQUE DOMINI 1766.

Present:

The Honorable William Pitkin, Esq^r, *Governor.*

The Honorable Jonathan Trumbull, Esq^r, *Deputy Governor.*

Hezekiah Huntington, Esq^r,	William Pitkin jun^r, Esq^r,	*Assistants.*
Mathew Griswold, Esq^r,	Roger Sherman, Esq^r,	
Shubael Conant, Esq^r,	Robert Walker, Esq^r,	
Elisha Sheldon, Esq^r,	Abraham Davenport, Esq^r,	
Eliphalet Dyer, Esq^r,	Wm. Samuel Johnson, Esq^r,	
Jabez Huntington, Esq^r,	Joseph Spencer, Esq^r,	

Representatives or Deputies of the Freemen of the several Towns as follow, viz:

Mr. John Ledyard, Colo. John Pitkin; for Hartford.
Mr. Alexander Wolcott, Mr. Mathew Rockwell, for Windsor.
Colo. John Chester, Capt. Elisha Williams, for Weathersfield.
Colo. Jabez Hamlin, Mr. Seth Wetmore, for Midletown.
Mr. Solomon Whitman, Capt. John Strong, for Farmington.
Mr. John Owen, Mr. Oliver Humphrey, for Symsbury.
Capt. Peter Bulkley, Mr. Daniel Foot, for Colchester.
Capt. John Phelps, Capt. Samuel Gilbert, for Hebron.
Mr. Jonathan Welles, Mr. John Kimberly, for Glastonbury.
Mr. David Strong, Capt. Thomas Pitkin, for Bolton.
Mr. Daniel Alden jun^r, for Stafford.
Zebulon West, Esq^r, Capt. Samuel Chapman, for Tolland.
Mr. William King, for Suffield.
Mr. Edward Collins, Mr. Nathaniel Terry jun^r, for Endfield.
Mr. Emery Pease, Mr. Rueben Sikes, for Somers.
Mr. Moses Holmes, Capt. Timothy Pearl, for Wellington.
Capt. Thomas Selden, for Haddam.
Mr. Daniel Brainerd, for East Haddam.
Mr. Daniel Lyman, Mr. Samuel Bishop, for Newhaven.
Capt. John Fowler, Mr. Robert Treat, for Milford.
Mr. Nathaniel Hill, Mr. Nathaniel Ruggles, for Guilford.
Mr. James Barker, Mr. Samuel Russell, for Branford.
Colo. Benjamin Hall, Capt. Macock Ward, for Wallingford.
Mr. Daniel Holbrook, Capt. Abel Gun, for Derby.
[216] Mr. Jonathan Baldwin, Mr. Samuel Lewis, for Waterbury.

Capt. James Wadsworth, Colo. Elihu Chauncey, for Durham.
Mr. Richard Law, Mr. William Hilhouse, for New London.
Mr. Isaac Tracey, Mr. Joseph Tracey, for Norwich.
Capt. Hez^{h} Whittelsey, Mr. Joseph Tulley, for Saybrook.
Colo. Henry Babcock, Mr. Charles Phelps, for Stonington.
Mr. Joseph Wilcox, Mr. Benjamin Gale, for Killingworth.
Capt. Joseph^{h} Mather, Capt. Elisha Marvin, for Lyme.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Mr. Simon Brewster, Capt. John Tyler, for Preston.
Capt. David Burr, Ebenezer Silliman, Esq^{r}, for Fairfield.
Capt. Robert Fairchild, Capt. Ichabod Lewis, for Stratford.
Mr. Thomas Fitch jun^{r}, Mr. Joseph Platt, for Norwalk.
Capt. Charles Webb, Colo. Jonathan Hoit, for Stamford.
Capt. Jabez Sherwood, Capt. Messenger Palmer, for Greenwich.
Mr. Thos. Benedict, Capt. Daniel Taylor, for Danbury.
Capt. Henry Glover, Mr. Oliver Tousey, for Newtown.
Mr. William Lee, Mr. Nathan Olmstead, for Ridgefield.
Capt. Dan Towner, Mr. James Potter, for New Fairfield.
Maj^{r} Jedidiah Elderkin, Mr. Hez^{h} Manning, for Windham.
Maj^{r} William Williams, Capt. Joshua West, for Lebanon.
Mr. Elisha Payne, Maj^{r} Ezekiel Pierce, for Plainfield.
Capt. Jabez Fitch, Mr. Stephen Frost, for Canterbury.
Mr. Samuel Stutson, Capt. Samuel Gurley, for Mansfield.
Mr. Phineas Strong, Capt. Ebenezer Kingsbury, for Coventry.
Mr. Jonathan Dresser, Colo. Israel Putnam, for Pomfret.
Mr. Bryant Brown, Capt. Silas Hutchins, for Killingly.
Capt. Benja. Sumner, Capt. Jedidiah Fay, for Ashford.
Capt. Robert Dixon, Mr. John Smith, for Voluntown.
Capt. Nehemiah Lyon, for Woodstock.
Colo. Ebenezer Marsh, Capt. John Marsh, for Litchfield.
Mr. Daniel Sherman, Capt. Increase Moseley, for Woodbury.
Mr. Bushnel Bostwick, Capt. Samuel Canfield, for New Milford.
Capt. Abijah Catlin, Mr. George Catlin, for Harwinton.
Capt. Mathew Gillet, Mr. Israel Loomiss, for New Hartford.
Capt. Charles Burrel, Mr. Samuel Forbes, for Canaan.
Capt. Thomas Chittendon, Mr. Joshua Porter, for Salisbury.
Mr. Cyrus Marsh, Mr. Eliphalet Comestock, for Kent.
Capt. John Williams, Mr. Jeremiah Day, for Sharon.
Mr. Heman Swift, Mr. Thomas Russel, for Cornwal.
Capt. Moses Lyman, Capt. Samuel Nash, for Goshen.
Mr. John Cook, for Torrington.

Zebulon West, Esq^{r}, Speaker } of the House of
Maj^{r} William Williams, Clerk, } Representatives.

[217] An Act for publishing the Oaths of Allegiance and Supremacy, Declaration against Popery, and Oath of Abjuration, as the same are to be administered agreeable to Act of Parliament.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy, the Declaration against Popery, and also the Oath of Abjuration, agreeable to the form prescribed by a late act of Parliament, passed in the sixth year of his present Majesty's reign, be printed with the acts of this Assembly; which are as follow, *viz:*

I, A. B. do sincerely promise and swear, that I will be faithful and bear true allegiance to his Majesty King George the third: So help me God.

I, A. B. do swear that I do from my heart abhor, detest and abjure, as impious and heretical, that damnable doctrine and position, that princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murthered by their subjects, or any other whatsoever. And I do declare, that no foreign prince, person, prelate, state or potentate, hath or ought to have any jurisdiction, power, superiority, preeminence or authority, ecclesiastical or spiritual within the Realm of Great Britain: So help me God.

I, A. B. do solemnly and sincerely in the presence of God profess, testifie and declare, that I do believe that in the sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever; and that the invocation or adoration of the Virgin Mary or any other saint, and the sacrifice of the mass, as they are now used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testifie and declare, that I do make this declaration and every part thereof in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope or any authority or person whatsoever, and without any hope of any such dispensation from any authority or person whatsoever, or without thinking that I am or can be acquitted before God or man, or absolved of this declaration or any part thereof, although the Pope or any other person or persons or power whatsoever should dispence with or annul the same, or declare that it was null and void from the beginning.

I, A. B. do truly and sincerely acknowledge, profess, testifie and declare in my conscience, before God and the

world, that our Sovereign Lord King George is lawful and rightful King of this Realm and all other his Majesty's Dominions and countries thereunto belonging. And I do solemnly and sincerely declare, that I do believe in my conscience that not any of the descendants of the person who pretended to be Prince of Wales during the life of the late King James the second, and since his decease pretended to be and took upon himself the stile and title of King of England, by the name of James the third, or of Scotland by the name of James the eighth, or the stile and title of King of Great Britain, hath any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging. And I do renounce, refuse and abjure any allegiance or obedience to any of them. And I do swear that I will bear faith and true allegiance to his Majesty King George, and him will defend to the utmost of my power against all traitorous conspiracies and attempts whatsoever which shall be made against his person, crown or dignity; and I will do my utmost endeavour to disclose and make known to his Majesty and his successors all treasons and traitorous conspiracies which I shall know to be against him, or any of them. And I do faithfully promise, to the utmost of my power, to support, maintain and defend, the succession of the crown against the descendants of the said James, and against all other persons whatsoever; which succession by an act intituled An act for the further limitation of the crown and better securing the rights and liberties of the subject, is and stands limited to the Princess Sophia, Electoress and Duchess Dowager of Hanover, and the heirs of her body being Protestants. And all these things I do plainly and sincerely acknowledge and swear according to these express words by me spoken, and according to the plain common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a Christian.

An Act for making and naming a District for a Court of Probate in the Southeast Part of this Colony and erecting a Court of Probate therein.

[218] *Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That the towns of Stonington and Groton shall be one district of or for a court of probate, and shall be called and known by the name of the district of Stonington; and that in the same district there shall be a court of probate held by

one judge, to be appointed and commissioned for that purpose according to law, who shall have a clerk, by him to be appointed and sworn to that office; which court shall have and exercise the same powers, authorities and priviledges, that the other courts of probate in this Colony by law have and are respectively vested with. And all appeals from said court of probate shall be regulated and governed according to the order and directions of the law respecting appeals from the courts of probate in this Colony. Provided nevertheless, that all matters and business that hath begun, entered, or are depending in the court of probate in the district of New London shall be issued and finished in said court as though this act had not been made; anything therein contained notwithstanding.

An Act for the further Alteration of one certain Act of this Colony intituled An Act for appointing, encouraging and supporting Schools.

Whereas the provision for and regulation of schools in said act provided is found to be insufficient to answer the important design of educating and instructing children as was intended by said act: Therefore, for the further providing for the same,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That from and after the first day of January, one thousand seven hundred and sixty-seven, there shall be annually paid out of the treasury of this Colony to the several towns and societies in this Colony the sum of twenty shillings, lawful money, upon every thousand pounds of the list of such towns and societies, instead of ten shillings, lawful money, on a thousand pounds, provided for by an act of this Colony, intituled An act for the alteration of one certain paragraph of the same act, passed in the General Assembly on the second Thursday of October, one thousand seven hundred and fifty-four, and so in proportion for any lesser sum or sums; which monies so raised shall be paid by the Treasurer of this Colony, annually as aforesaid, to the several school-committees of the several towns and societies, and by them to be paid out for the use and benefit of the schools therein, as is hereafter provided.

And be it further enacted by the authority aforesaid, That each town and society shall have full power and authority to divide themselves into proper and necessary districts for keeping their schools, and to alter and regulate the same from time to time as they shall have occasion; which districts so made shall draw their equal proportion of said monies, as well as all other public monies for the support of schools be-

longing to such respective towns or societies, according to the lists of each respective district therein.

Provided nevertheless, That nothing in this act shall extend to alter, controul or supersede anything contained in the proviso of the ast paragraph of said act for appointing, encouraging and supporting schools, above referred to.

An Act in Addition to a Law of this Colony intituled An Act for constituting Judges and Justices of the Peace in this Colony, and for impowering and directing them in their respective Offices.

Whereas it may often happen, that when complaints are made to any justices of the peace within this Colony for the breach of penal laws and statutes, and the person or persons so complained of may belong or escape to some other county than where such justice dwells, whereby the execution of such laws and the good designs thereof may often be frustrated, by reason that such justice hath not power and authority to issue and sign any writ or process for the apprehending such person or persons so complained of, as aforesaid: Which inconveniences to remedy,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, [219] || That for the future, whenever any complaint shall be legally made to any justice of the peace within this Colony, in any criminal matter on which the person or persons so complained of ought to be brought before such justice for tryal or examination, that such writ or process, as well as all summons for witnesses to appear in said cause, signed by such justice to whom such complaint may be made, shall be of as full force and authority in any and every county within this Colony as if the same had been signed by an Assistant; any law, usage or custom to the contrary notwithstanding.

An Act in Alteration of the second Paragraph of the Statute Law of this Colony intituled An Act for preventing, punishing and removing Nuisances in Creeks, Rivers and other Water-Courses.

Where in said paragraph it stands enacted, if any person or persons whatsoever shall by wears, hedges, seines, or any other incumbrances or way or means whatsoever, without lycence from the county court of that county wherein the said wear, hedge or other obstruction is set and made, disturb, hinder or anyways obstruct the natural, common or usual course or passage of the fish in the spring, or proper season of the year, up or in any of the aforesaid rivers, streams, cove, or creeks, the same shall be deemed a common nuisance &c.; which lycence given by the county court, as by said paragraph, is often found to prove mischievous, and many persons having obtained the same have thereby almost wholly stopt and obstructed the natural course of the fish passing up and down in many of said rivers, streams, cove

&c., in their proper season, and thereby have greatly destroyed the common priviledge and benefit of taking and catching the fish in and up said rivers, cove &c.: Therefore, to prevent the same,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the whole of said paragraph, so far as it respects the county courts in their respective counties giving and granting lycence to any person or persons to set up any wears, hedges, seines or other incumbrances, to the stopping or obstructing of the fish in their seasons passing up or in any of the aforesaid rivers, cove &c., shall be repealed and utterly void, and the same with such lycence relative thereto as have heretofore been given by the county courts is hereby made null and void, and of no effect.

An Act in Addition to and Alteration of one Act of this Colony intituled An Act for directing and regulating the Levying and Serving Executions.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That whensoever any execution shall be levyed upon lands, the same shall be apprized by three indifferent freeholders of the same town where such lands lye, to be nominated and appointed by the creditors choosing one, the debtor another, and in case the parties cannot agree on the third man, or either of the parties neglecting to choose, then and in that case the officer shall apply to the next Assistant or justice of the peace who by law may judge between the parties in civil cases, which authority shall nominate and appoint one or more apprizers, as the case may require; which apprizers shall be sworn according to law.

And be it further enacted by the authority aforesaid, That it shall be the duty of the officer that levies such execution on lands, to cause such execution with his endorsements thereon to be entered of record on the town-clerk's records of such town where the lands lye, before he returns the same into the office to which it is returnable by law. And the officer shall have two shillings for causing the same to be recorded, with his additional fees for his travel; any law, usage or custom to the contrary notwithstanding.

An Act for the Regulating of Deputy Sheriffs and limiting their Number in the several Counties in this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the sheriff of the county of Hartford for the future shall not nominate or appoint more than ten deputies or undersheriffs within or for said county, to act under him at the

same time. And that the sheriff of the county of Newhaven shall not nominate or appoint more than six deputy or under-sheriffs within and for said county, to act under him at the [220] same time. || And that the sheriff of the county of New London shall not nominate or appoint more than five deputy or under-sheriffs within and for said county, to act under him at the same time. And that the sheriff of the county of Fairfield shall not nominate or appoint more than four deputy or under-sheriffs within and for said county, to act under him at the same time. And that the sheriff of the county of Windham shall not nominate or appoint more than four deputy or under-sheriffs within and for said county, to act under him at the same time. And that the sheriff of the county of Litchfield shall not nominate or appoint more than four deputy or under-sheriffs within and for said county, to act under him at the same time.

Provided nevertheless, That the sheriffs of the respective counties in this Colony shall have liberty on special occasions to depute any meet person to serve and execute any particular writ or process, which deputation shall appear entered on the back of such writ or process; anything in this act to the contrary notwithstanding.

And it is further enacted by the authority aforesaid, That all writs and processes that shall be served or executed by any deputy or under-sheriff not qualified as aforesaid shall be void and abate.

Provided also, That this act shall not extend to prohibit the sheriffs in their respective counties of deputing each other to serve as deputies in their respective counties, nor to hinder or restrain the now deputy-sheriffs from legally acting in their offices until the sitting of the county court in the county where they are appointed; any law, usage or custom to the contrary notwithstanding.

An Act for the Preservation of Oysters and Clams and regulating the Fishery thereof.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the towns of Newhaven, Fairfield, and all and every town in this Colony bordering on the sea, sound or river, having oysters or clams growing and lying in any river, harbour, cove, creek, or flats, within the bounds of such towns respectively, or adjoining or appertaining thereto, shall have power, and power and authority is hereby granted to such towns respectively, in their town-meetings to make rules and ordinances respecting the preserving such oysters and clams and catching and taking the same, and to lay such restrictions and prohibitions against taking such oysters and

clams in improper seasons, and to impose such penalties as shall be thought proper by such towns for the breach of such ordinances and rules: provided no such penalty shall exceed the sum of five pounds, money.

This Assembly do appoint Eliphalet Dyer, Esq^r, a Special Agent for this Colony, to repair as soon as conveniently may be to Great Britain, there to assist Mr. Agent Jackson in preparing, soliciting and managing for and in behalf of said Colony the case of the Mohegan Indians, lying by appeal of Mason in behalf of said Indians, before the King's Most Excellent Majesty in Council.

This Assembly do appoint William Samuel Johnson, Esq^r, a Special Agent for this Colony, to repair to Great Britain with all convenient expedition, there to assist Mr. Agent Jackson in preparing, soliciting and managing for and in behalf of said Colony the case of the Mohegan Indians, lying by appeal of Mason in behalf of said Indians, before the King's Most Excellent Majesty in Council.*

Resolved by this Assembly, That his Honour the Governor be and he is hereby desired, to make and execute to William Samuel Johnson, Esq^r, a proper commission to appear as Agent and Attorney to the Governor and Company of this Colony, in their name and behalf to appear and them represent before the King's Most Excellent Majesty, or any of his courts, ministers of state, or boards of audience in Great Britain, and there to manage &c. every matter that shall be committed to him &c., in conjunction with Richard Jackson of London, Esq^r, Agent for the Colony aforesaid, and to cause the seal of this Colony to be affixed thereunto accordingly.

Resolved by this Assembly, That William Samuel Johnson, Esq^r, be allowed one hundred and fifty pounds sterling for his service as Agent for this Colony at the Court of Great Britain; and if he continue in said service longer than one year, then after that rate *per annum*, exclusive of his expences [221] for || agency and for his extraordinary cloathing, and that he be allowed for his expences and his cloathing as aforesaid; and that he be allowed fifty pounds sterling to be paid him out of the Colony treasury in part towards the payment of his said expences, and the Treasurer is hereby ordered to pay the same accordingly; and that his Honour

*A summons, dated July 8th, 1766, had been received, giving notice that the appeal would be heard in February then next. *Indians*, II. 276. Mr. Johnson sailed from New York on the day before Christmas, 1766, and did not return from England until the autumn of 1771.

the Governor be and he is hereby desired to order Mr. Agent Jackson to furnish said William Samuel Johnson, Esq^r, with such sum or sums of money as he shall have occasion for while in England, and that he account with this Colony for the same.

Resolved, That his Honour the Governor be and he is hereby desired to send forward a letter to Mr. Agent Jackson, informing that a Special Agent is appointed to repair to Great Britain on the affair of the Mohegan Indians with all convenient speed, to assist him, said Mr. Jackson, in preparing, soliciting and managing said case in the tryal thereof said to be coming on before the King's Most Excellent Majesty in Council; and also that he is appointed by the tenants in possession of the land in controversie to appear and answer for them; and desire that the hearing of the case be put off till such Special Agent do arrive and be prepared for tryal; and that he write again by such Special Agent, recommending him to Mr. Agent Jackson and informing him what is further necessary on the preparations that shall be made in the case.

Resolved by this Assembly, That his Honour the Deputy Governor, Mathew Griswold, George Wyllys, Esq^rs, and Maj^r William Williams, be a committee, and they are hereby fully authorized and impowered, to look into the affairs relating to the Mohegan Indians, so far as respects the case lying before the King in Council upon the complaint against the government and the tenants in possession of the lands contained in said complaint, and make all proper provision of exhibits and depositions and directions that shall be thought needful for conducting and managing said case on tryal before the King in Council.

This Assembly do appoint Charles Phelps, Esq^r, to be Judge of the Court of Probate for the district of Stonington until the first day of June next.

This Assembly do appoint Messrs. Selah Hart and Thomas Pitkin to be Justices of the Peace for the county of Hartford till the first day of June next.

This Assembly appoints Mr. Gideon Walker to be a Justice of the Peace in and for the county of Litchfield until the first day of June next.

This Assembly do appoint Mr. Robert Walker jun^r of Stratford, Surveyor of Lands for the county of Fairfield, in the room of Mr. Judah Kellogg, resigned.

This Assembly do appoint Mr. John Gun, of Milford, Surveyor of Lands for the county of Newhaven.

This Assembly do establish Mr. Isaac Pinney to be Captain of the fifth company or trainband in the town of Windsor.

This Assembly do establish Mr. Mathew Griswold to be Ensign of the fifth company or trainband in the town of Windsor.

This Assembly do establish Mr. Joseph Lothrop to be Captain of the south company or trainband in the town of Tolland.

This Assembly do establish Mr. John Reddington to be Lieutenant of the south company or trainband in the town of Tolland.

This Assembly do establish Mr. Benjamin Brooks to be Captain of the sixth company or trainband in the town of Farmington.

This Assembly do establish Mr. Benjamin Frisbie to be Lieutenant of the sixth company or trainband in the town of Farmington.

This Assembly do establish Mr. Elisha Warren to be Ensign of the sixth company or trainband in the town of Farmington.

This Assembly do establish Mr. Elias Chapin to be Lieutenant of the second company or trainband in the town of Sommers.

[222] This Assembly do establish Mr. James Hall to be Captain of the fourteenth company or trainband in the fifth regiment in this Colony.

This Assembly do establish Mr. Thomas Barrows junr to be Lieutenant of the 14th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Samuel Storrs junr to be Ensign of the fourteenth company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Humphrey to be Captain of the second company or trainband in the town of Symsbury.

This Assembly do establish Mr. Samuel Foot to be Lieutenant of the second company or trainband in the town of Symsbury.

This Assembly do establish Mr. Abel Pettibone to be Ensign of the second company or trainband in the town of Symsbury.

This Assembly do establish Mr. William Cogswell to be Ensign of the third company or trainband in the town of New Milford.

This Assembly do establish Mr. John Welton to be Captain

of the second company or trainband in the first society in the town of Waterbury.

This Assembly do establish Mr. Jesse Leavensworth to be Lieutenant of the second company or trainband in the first society in the town of Waterbury.

This Assembly do establish Mr. Abraham Hickcox to be Ensign of the second company or trainband in the first society in the town of Waterbury.

This Assembly do establish Mr. Jonathan Buel to be Captain of the west company or trainband in the town of Goshen.

This Assembly do establish Mr. Ebenezer Hill to be Lieutenant of the west company or trainband in the town of Goshen.

This Assembly do establish Mr. David Norton to be Ensign of the west company or trainband in the town of Goshen.

This Assembly do establish Mr. Abel Seeley to be Lieutenant of the company or trainband in the parish of Stratfield in the fourth regiment in this Colony.

This Assembly do establish Mr. Hezekiah Hubbel to be Ensign of the company or trainband in the parish of Stratfield in the fourth regiment in this Colony.

This Assembly do establish and confirm Mr. Peter Nichols to be Ensign of the first company or trainband in the town of Newton.

This Assembly do establish and confirm Mr. John Griffin to be Lieutenant of the first company or trainband in the town of Newtown.

This Assembly do establish Mr. Nathan Griswold to be Captain of the 12th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Silvanus Graves to be Lieutenant of the 12th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Noyes Wadsworth to be Captain of the south company or trainband in the town of Durham.

This Assembly do establish and confirm Mr. Eliakim Strong to be Lieutenant of the south company or trainband in the town of Durham.

This Assembly do establish and confirm Mr. Simeon Coe to be Ensign of the south company or trainband in the town of Durham.

This Assembly do establish Mr. Edmund Badger to be Quarter-Master of the troop of horse in the 5th regiment in this Colony.

This Assembly do establish Mr. Thomas Adgate to be Quarter-Master of the troop of horse in the 3d regiment in this Colony.

[223] This Assembly do establish Mr. Stephen Abbot to be Captain of the 12th company of trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Work to be Lieutenant of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Alexander Ewing jun^{r} to be Ensign of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Edmund Beach to be Captain of the east company or trainband in the town of Goshen.

This Assembly do establish Mr. Abraham Parmely to be Lieutenant of the east company or trainband in the town of Goshen.

This Assembly do establish Mr. Nathaniel Stanly jun^{r} to be Ensign of the east company or trainband in the town of Goshen.

This Assembly do establish Mr. Obadiah Horsford to be Captain of the 5th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Stephen Barber to be Lieutenant of the 5th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Joshua Phelps to be Ensign of the fifth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Andrew Martin to be Lieutenant of the 4th company or trainband in the town of Woodberry.

This Assembly do establish Mr. Enos Hawley to be Ensign of the fourth company or trainband in the town of Woodberry.

This Assembly do establish Mr. John Benedict jun^{r} to be Lieutenant of the company or trainband in Canaan parish in the 9th regiment in this Colony.

This Assembly do establish Mr. Daniel Benedict to be Ensign of the company or trainband in Canaan parish in the 9th regiment in this Colony.

This Assembly do establish Mr. John Felshaw jun^{r} to be Captain of the fourth company or trainband in the 11th regment in this Colony.

This Assembly do establish Mr. Josiah Newel to be Lieuten-

ant of the company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. John Webster to be Ensign of the company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. Samuel Blachley to be Captain of the 3d company or trainband in the town of Woodbury.

This Assembly do establish Mr. David Hurd to be Lieutenant of the 3d company or trainband in the town of Woodberry.

This Assembly do establish Mr. Abel Beach to be Captain of the first company or trainband in the town of Torrington.

This Assembly do establish Mr. Nathaniel Barber to be Lieutenant of the first company or trainband in the town of Torrington.

This Assembly do establish Mr. Amos Wilson to be Ensign of the first company or trainband in the town of Torrington.

This Assembly do establish Mr. Ebenezer Coles to be Captain of the company or trainband in the parish of Meriden in the 10th regiment in this Colony.

This Assembly do establish Mr. Josiah Robinson to be Lieutenant of the company or trainband in the parish of Meriden in the 10th regiment in this Colony.

This Assembly do establish Mr. John Couch to be Ensign of the company or trainband in the parish of Meriden in the 10th regiment in this Colony.

[224] This Assembly do establish Mr. Joshua Bushnel to be Captain of the first company or trainband in the town of Saybrook.

This Assembly do establish Mr. Samuel Shipman to be Lieutenant of the first company or trainband in the town of Saybrook.

This Assembly do establish Mr. John Cockran to be Ensign of the first company or trainband in the town of Saybrook.

This Assembly do establish Mr. Treat Mills to be Captain of a company or trainband in the parish of Ripton in the 4th regiment in this Colony.

This Assembly do establish Mr. Agur Judson to be Lieutenant of a company or trainband in the parish of Ripton in the 4th regiment in this Colony.

This Assembly do establish Mr. Nathan Hurd junr to be Quarter-Master of the troop of horse in the 13th regiment in this Colony.

This Assembly do establish Mr. Jonathan Bell junr to be

Ensign of the company or trainband in the parish of Midlesex in the 9th regiment in this Colony.

This Assembly do establish Mr. William Cutler to be Captain of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Andrew Backus to be Ensign of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Abel Woodward to be Lieutenant of the west company or trainband in Westbury parish in the town of Waterbury.

This Assembly do establish Mr. Peter Welton to be Ensign of the west company or trainband in Westbury parish in the town of Waterbury.

This Assembly do establish Mr. Joseph Wheeler to be Captain of the 2d company or trainband in the town of Newtown.

This Assembly do establish Mr. Joseph Seaward to be Lieutenant of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. Giles Pettibone to be Ensign of the company or trainband in the town of Norfolk.

This Assembly do establish Mr. Nathaniel House to be Captain of the company or trainband in the parish of Andover.

This Assembly do establish Mr. Ebenezer Jones to be Ensign of the company or trainband in the parish of Andover.

This Assembly do establish Mr. Joseph Pratt jun^{r} to be Captain of the first company or trainband in the town of Kent.

This Assembly do establish Mr. Jedidiah Hubbel to be Lieutenant of the first company or trainband in the town of Kent.

This Assembly do establish Mr. Thomas Porter to be Captain of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Ebenezer Dibble to be Lieutenant of the company or trainband in the town of Cornwall.

This Assembly do establish Mr. Joseph Harris jun^{r} to be Lieutenant of the first company or trainband in the town of New London.

This Assembly do establish Mr. John Hempstead jun^{r} to be Ensign of the first company or trainband in the town of New London.

This Assembly do establish Mr. Jabez Wheeler to be Captain of the company or trainband in the town of New Fairfield.

This Assembly do establish Mr. Samuel Wakeman to be Ensign of the company or trainband in the town of New Fairfield.

This Assembly do establish Mr. Joseph Brewster to be Captain of the 5th company or trainband in the town of Norwich.

[225] This Assembly do establish Mr. Jabez Wight jun^{r} to be Lieutenant of the fifth company or trainband in the town of Norwich.

This Assembly do establish Mr. Nathan Brewster to be Ensign of the 5th company or trainband in the town of Norwich.

This Assembly do establish Mr. Aaron Harrison to be Captain of the new-erected company or trainband within the limits of the winter-parish in Waterbury granted by the General Assembly in October, *A. Dom.* 1762.

This Assembly do establish Mr. Heman Hall to be Lieutenant of the new-erected company or trainband within the limits of the winter-parish in Waterbury granted by the General Assembly in October, *A. Dom.* 1762.

This Assembly do establish Mr. Josiah Rogers to be Ensign of the new-erected company or trainband within the winter-parish in the town of Waterbury granted by the General Assembly in October, *A. Dom.* 1762.

Whereas Daniel Sherman and Benjamin Hinman, Esq^{rs}, and Capt. Benjamin Stiles were appointed a committee by the General Assembly held at Hartford in May last, to lay out a highway from the upper bridge over Naugatuck River in Derby to the court-house in New Haven, who have entered upon said service, but are not able to compleat the same so as to make report to this Assembly in the present session: It is therefore resolved by this Assembly, that the said committee be and they are hereby reappointed to compleat said service agreeable to the directions contained in the resolve of the General Assembly made and passed relative thereto in May last, and make report of their doings therein to the General Assembly to be holden at Hartford in May next.

The Gentlemen nominated by the Votes of the Freemen to stand for Election in May next as sent in to the General Assembly holden at Newhaven the 2d Thursday of October, A.D. 1766, are as follow, viz:

The Hon^{ble} William Pitkin, Esq^{r}.
The Hon^{ble} Jonathan Trumbull, Esq^{r}.

Hezekiah Huntington, Esq^{r}.
Mathew Griswold, Esq^{r}.
Shubael Conant, Esq^{r}.
Elisha Sheldon, Esq^{r}.
Eliphalet Dyer, Esq^{r}.
Jabez Huntington, Esq^{r}.
William Pitkin jun^{r}, Esq^{r}.
Roger Sherman, Esq^{r}.
Robert Walker, Esq^{r}.
Abraham Davenport, Esq^{r}.
William Sam^{l} Johnson, Esq^{r}.
Joseph Spencer, Esq^{r}.
The Hon^{ble} Thomas Fitch, Esq^{r}.
Ebenezer Silliman, Esq^{r}.
John Chester, Esq^{r}.
Benjamin Hall, Esq^{r}.
Jabez Hamlin, Esq^{r}.
Capt. Zebulon West.

Whereas upon the memorial of Benjamin Tracy and Olive his wife, Mercy Killam and Hepzibah Killam, all of Preston,

exhibited to this Assembly at their sessions in May last, therein representing that John Killam late of said Preston, deceased, father of the said Olive, Mercy and Hepzibah, in and by his last will and testament, bearing date the 9th day of February, A.D. 1753, gave and bequeathed unto his said three daughters of his personal estate in specific legacies to the amount of £145 2*s.* 10*d.* lawful money, at inventory price; that after the death of said deceased judgments were recovered against his executor, and other expences arisen, so that said executor had taken almost the whole of said legacies to pay off said debts, whereby said three daughters were deprived of their said legacies &c.; praying for a committee &c., as per petition on file: Messrs. Samuel Coit and Nathaniel Brown, Esq^rs^, of Preston, and Richard Hide of Norwich, were appointed a committee to call before them all the legatees to whom said deceased gave and bequeathed any legacies or part of his estate by said will, or their legal representatives, and examine into the disposition of said estate and all matters mentioned in said petition and circumstances relating thereto, and to determine and ascertain what sum or sums any or all of said legatees ought in equity to pay to the petitioners, or whether any of them, and make report of what they should find together with their opinion thereon &c.: And also whereas said committee have made report to this Assembly at their present sessions, that having repaired to said Preston, and all parties concerned being duly notified appeared and exhibited their evidences, pleas &c. to said [226] committee, they find that the petitioners have lost and || been deprived of a part of their said legacies as follows, *viz:* The said Olive £20 18*s.* 0*d.*, the said Mercy, £22 5*s.* 1*d.*, and the said Hepzibah £23 16*s.* 0*d.*, amounting in the whole to £66 19*s.* 1*d.* lawful money, which sum ought to be paid by several of said legatees and their legal representatives, *viz:* Jepthah Killam and Meribah Killam, both minors, the only children and heirs of Jepthah Killam late of said Preston, deceased, one of said legatees, ought to pay £48 0*s.* 0*d.*, said John Killam £12 5*s.* 0*d.*, said Eliab Farnam and Abigail his wife £5 16*s.* 0*d.*, said Robert Rose and his wife Sarah £0 18*s.* 0*d.*, and also that some suitable person be authorized to make sale of [so] much of the real estate in said will given to said Jepthath, deceased, the father of said minors, as shall be sufficient to pay said sum of £48 0*s.* 0*d.* and incident charges, and also that the petitioners be allowed the cost of this process &c., as per report on file: This Assembly do accept said report, and the same is hereby approved and accepted, and

thereupon it is resolved by this Assembly, that the said John Killam pay to the petitioners said sum of £12 5 0, and also the sum of £2 17 7, part of the cost of this suit; that said Eliab Farnam and Abigail his wife pay to the petitioners said sum of £5 16 0, and also £2 17 7, their part of the cost; and that said Robert Rose and Sarah his wife pay to the petitioners the sum of £0 18 0, and also £2 17 7, their part of the cost of this suit; and that execution go forth severally accordingly; and also, that the said Jepthah Killam and Meribah Killam, minors, pay the petitioners out of the estate given to their father the said Jepthath, deceased, said sum of £48 0*s.* 0*d.* and also £2 17*s.* 7*d.* their part and proportion of the cost of this process. And it is also further resolved by this Assembly, that William Witter, Esq^r, of Preston, be authorized, and he is hereby substituted and fully authorized, to make sale of so much of said real estate in and by said last will and testament given to the said Jepthath, deceased, as shall be sufficient to pay and satisfie said sum of £48 0*s.* 0*d.* and cost to be paid by said minors, together with incident charges arising on such sale; taking directions of the court of probate for the district of Norwich therein.

Decem. 10*th*, 1766, *three executions in favour of the petitioners pursuant to this decree.*

Upon the petition of Hannah Clark and Sheldon Clark, executors of the last will and testament of William Clark late of Derby, deceased, representing a conditional agreement made in September, A.D. 1761, between Enos Alling and Thomas Howel and the said William Clark, that he should purchase of them a quantity of salt which they had stored in said Derby, and that said bargain on or about the 25th day of December, 1761, was mutually released by said parties to each other; that sometime in February or March, A.D. 1762, the whole of said salt was washed out of a store by a flood and lost, and that said Allyn and Howel having commenced a suit at law against said Clark demanding payment for said salt, the matter was submitted to the arbitrament of arbitrators, who awarded that said Clark should pay half the value of said salt, who thereupon gave his note therefor, upon which note judgment hath been recovered against said administrators, and that sufficient evidence had been found by the said Hannah and Sheldon Clark to prove the release of said bargain; as per petition on file: whereupon the Hon^ble Roger Sherman, Esq^r, Messrs. Samuel Bishop jun^r and Daniel Bennet, were by this Assembly at their sessions in October last appointed, and in their sessions in May last re-appointed, a

committee with full power to enquire into all the matters complained of in said petition and report make; which committee having enquired into said matters have reported to this present Assembly, that having taken into consideration said case with the evidences produced therein, they are of opinion that the evidence is sufficient to prove that said agreement was released by the parties, and the said Alling and Howel ought not to recover anything of the said Hannah and Sheldon Clark by virtue of said judgment; the said report being by this Assembly accepted: Therefore, resolved by this Assembly, that the note on which the said judgment was recovered by said Alling and Howel against the said Hannah Clark and Sheldon Clark be and the same is hereby declared to be null and void, and said judgment on said note be reversed and set aside, and the same is hereby reversed and set aside, and all the doings thereon are hereby made void.

Upon the petition of the selectmèn of Woodberry in Litchfield county, representing that John Smith, late of Derby in Newhaven county now of said Woodberry, is now with his estate in their care, and is chargeable to said Woodberry; that said Smith in March, 1750, made and executed a note of hand for three hundred pounds, bills of credit, to Moses Hawkins late of said Derby, deceased, being one of the committee of the proprietors of Quakers Farm purchase, with a condition that said Smith should remove his fence which was on the highway on the west side of that land that he bought of the [227] heirs of Colo. Johnson, and place his fence in his just ‖ line; that soon after the giving said note said Smith with his estate were taken into the care of the selectmen of Derby aforesaid, (said Smith then being an inhabitant of said Derby;) that Abraham Hawkins and Eli Hawkins, executors of the last will of said deceased Moses, at the instigation and for the benefit of the proprietors of said purchase, brought their action against said Smith to the county court held at said Newhaven in November, 1761, on said note, and the said selectmen of said Derby, being at the time of said suit interested in the said propriety of Quakers Farm, refused to admit any defence by the said Smith against said note, although said Smith might well have been defended in said action, as he had not injured said proprietors or encroached on their bounds, whereupon judgment was by said county court rendered in said action against said Smith for the sum of £30 0*s*. 0*d*. lawful money, debt, and £1 2*s*. 4*d*. cost, and that said selectmen of Derby having in their hands no personal estate of the said Smith wherewith to satisfie said execution applied to the General Assembly at their ses-

sions at Hartford in May, 1762, for liberty, and obtained the same, to sell so much of the real estate of the said Smith as would amount to £36 12*s*. 0*d*. with the incident charges, and in pursuance of said lycence the said selectmen did actually sell so much of the real estate of the said Smith as did amount to the sum of £40 0*s*. 0*d*. lawful money, to John Smith jun^{r} of said Derby, and executed a deed accordingly; as by the petition on file may at large appear: Resolved by this Assembly, that the said judgment of said county court so had and recovered by the said executors of the said Moses Hawkins, deceased, against said John Smith, and all the doings thereon, be and the same are hereby declared to be reversed, set aside and made null and void; and liberty is hereby granted for a new tryal of the said case at the county court to be holden at Newhaven within and for the county of Newhaven on the 2d Tuesday of November, A. D. 1766.

Upon the petition of Silas Dean of Weathersfield and Mehitabel his wife, administrators in her right on the estate of Joseph Webb late of said Weathersfield, deceased, as also in their own behalf, against Joseph Forbes 3d and Sarah Forbes of said Weathersfield, minor children of Joseph Forbes jun^{r}, and who appeared by their said father and guardian, shewing to this Assembly that James Treat late of said Weathersfield, deceased, in his life time being in needy circumstances was and had been supplied with the necessaries and comforts of life by the said Webb in his life time, and also since by the petitioners, to a considerable amount, and which supplies they afforded very much upon the encouragement of the selectmen of said town, and as expecting to be able to receive their pay therefor out of certain real estate of said James, which real estate now appears to have been by the said James made over to his late son James Treat jun^{r} on certain conditions, which conditions not having been performed and the said James jun^{r} dying, the said deed got on record by mistake, whereby there appears an evidence of the title descending to the said minors as the heirs and next of kin to the said James jun^{r}; praying to have the said sums due for said supplies reimbursed and paid out of said estate &c., as by the petition on file: Resolved by this Assembly, that Messrs. William Wolcott, Jonathan Welles and Josiah Bissel, be and they are hereby appointed a committee with full power to look into the several matters set forth in the petition, and make report of what they shall find with their opinion thereon to this Assembly in May next.

Upon the petition of Lemuel Moffat and Huldah his wife of Durham, administrators on the estate of Abner Newton late of

said Durham, deceased, against William Monroe and Mary Monroe of Branford, surviving executors of the last will and testament of John Factor late of said Branford, deceased, representing to this Assembly that the said executors having recovered judgment against the petitioners as administrators as aforesaid at Newhaven county court in April, 1765, for the sums of £343 9*s.* 5*d.* debt. and £6 5*s.* 6*d.* cost thereon, took out execution dated the 15th day of April, 1765, and afterwards, *viz:* on the 13th day of June, 1765, caused the same to be levyed on certain real estate of said deceased Abner, contrary to the law and the usage in this Colony, whereby the settlement of said estate is greatly impeded; praying to have the doings on said execution vacated, as by the petition on file may more fully appear: Resolved by this Assembly, that all the proceedings upon said execution and the levy thereof on said lands as aforesaid be vacated and set aside, and the same is hereby vacated and declared to be null and void.

[228] On the memorial of the President and Fellows of Yale College in Newhaven, shewing the necessity of sufficient funds to enable them to support the officers needful for the instruction, government and well-being of that society; praying for such aid and assistance as will enable them to support that important interest, so as to answer the true and great ends of its institution: a committee appointed to take the affairs into consideration &c. have reported that they find the want of sufficient funds complained of is occasioned by the payment of considerable sums out of the college treasury towards building the chapel, finishing a house for a professor of divinity and for his support, also by the inability of the tenants, the great decrease of the number of students, and the withdraw of the usual annual grant from this Assembly; that they are of opinion that it is necessary the college be furnished with the following officers, supported with the salaries to their offices severally annexed, *viz:*

A President,	at	£150	0	0	*per annum.*
A Professor of Divinity,		113	6	8	
A Senior Tutor,		65	1	4	
3 Junior Tutors, at £57 1*s.* 4*d.* each		171	4	0	

That the revenues of college are not sufficient therefor, and that there will be wanting to pay off the debts of the college and support it the current year, the sum of £159 12*s.* 0*d.* which they recommend to be paid to said president and fellows out of the impost duty on rum collected by the naval officers of the ports of New London and Newhaven; and further, that it be recommended to said president and fellows that their

laws be revised and printed in English as well as Latin, and one book of their laws lodged in the Secretary's office; and that the government of said college be as near like parental, and as few pecuniary mulcts as the circumstances thereof will admit; and that the steward in making up his quarter bills insert the punishments of each scholar with the offence for which the same was imposed, for the parents information; and that in order for the continual support of college their accounts be annually laid before the General Assembly of this Colony in the October sessions:

Resolved by this Assembly, That the matters and things hereinbefore mentioned to be reported by said committee be accepted and approved, saving that there be but two junior tutors, and that the salary provided for the third, *viz:* £57 1*s.* 4*d.* be deducted out of the said sum of £159 12*s.* 0*d.* And the naval officer of the port of Newhaven is hereby accordingly ordered to pay to the treasurer of said college the remaining sum, being £102 10*s.* 8*d.* out of said duty on rum, or so much thereof as he hath money arising thereon in his hands. And in case he, said naval officer, have not sufficient, the naval officer for the port of New London is ordered to pay the residue thereof to said treasurer, for the use and purposes aforesaid.

Upon the petition of Cornelius Dowd, of Norfolk in the county of Litchfield, representing to this Assembly that in the beginning of the year 1762, the petitioner had a large and just debt of about three hundred pounds against one John Camp of said Norfolk, and that the said Camp being so indebted to the petitioner and also in large sums of money to several other persons, and that the said Camp also was then possessed of a large estate, both real and personal, sufficient to pay all his just debts, and that on or about the month of March, 1762, the said Camp conveyed all his estate, both real and personal, to Brotherton Seaward of said Norfolk, as trustee and agent to said Camp, for the use and benefit of said Camp's creditors, with power of attorney from said Camp to act &c., and that then said Camp absconded and left the petitioner unpaid, and that the petitioner has applied to the said Seaward for payment of said Camp's debt to him, and said Seaward hath utterly refused &c., and that the petitioner hath brought his action against said Camp to Litchfield county court in January, 1765, and obtained judgment for £246 0*s.* 0*d.* lawful money, debt, and £1 3*s.* 7*d.* cost, and exesution hath issued thereon, and by virtue thereof hath levyed on all the estate of said Camp that can be found, and the same hath disposed of as

the law directs, and there yet remains £197 4*s.* 7*d.* lawful money unpaid on said execution &c , and that the body of the said Camp remains concealed, and that the petitioner has sundry other debts due to him from said Camp on note &c., and that he really believes that he, the said Seaward, has concealed in his hands of the estate of said Camp sufficient to pay the petitioner's said debts due to him from said Camp &c.; praying to this Assembly for an order of this Assembly that the said Seaward may disclose upon oath what estate of the said Camp he so concealed before this Assembly, and that he may receive the same in payment of his said debts, or that a committee may be appointed for that purpose, as per petition on file: Resolved by this Assembly, that Joshua West, Nath[l] Hill and Joseph Platt, Esq[rs], be and they are hereby appointed a committee to examine into and enquire after and hear the evidence relative to the estate of the said Camp concealed in the hands of said Seaward and all the matters and things relative to the trust aforesaid, and to require of the said Seaward an account of the same on oath, and report what they shall find with their opinion thereupon to the General Assembly at their present sessions.

[229] Upon the petition of Cornelius Dowde, of Norfolk in the county of Litchfield, against Brotherton Seaward of said Norfolk, representing that said Seaward received the estate of one John Camp in trust for the benefit of the creditors of said Camp, and that said Camp was indebted to said Dowde in a large sum, and that said Seaward kept the said Camp's estate concealed in his hands, whereupon a committee was appointed, who have reported that said Seaward hath fully accounted to said Camp for all his estate in said Seaward's hands, which report is accepted: And thereupon it is resolved, that the said Dowde shall pay unto the said Seaward his cost, taxed at £4 8*s.* 0*d.* *Ex. granted October* 30*th*, 1766.

Upon the petition of William Robinson, of Killingly in Windham county, shewing to this Assembly that on the 16th day of November, 1751, [he] hired of one Joseph Morey, of Smithfield in the county of Providence and Colony of Rhode Island, the sum of nine hundred pounds, old tenour bills of said Rhode Island, for the term or space of three years next after said 16th of November, and for to secure the said Morey therefor he, said Robinson, gave to said Morey a deed of three pieces of land lying and being in said Killingly, as in said petition described, and that said Morey gave to said Robinson a bond for a large sum, conditioned that if said Robinson at or before the end of said three years should pay said

money, then said Morey to release and reconvey said lands to said Robinson, and that said Robinson in the year 1752, paid to said Morey £588 5 4, part of said £900 0 0; that in the year 1755, said Morey sold and conveyed said lands to one Benjamin Joy of said Killingly, and that said Joy has since sold and conveyed said lands to divers persons and they now hold the same, as in said petition mentioned; praying relief as by said petition on file: Resolved by this Assembly, that Jabez Fitch of Canterbury, Ebenezer Williams of Pomfret, and Robert Dixon of Voluntown, Esq^rs, be a committee, and they are hereby appointed a committee, with full power to examine into all the matters in said petition set forth, with every matter and thing relative thereto, and report what they shall find therein, with their opinion thereon, to this Assembly at their sessions in May next.

Upon the petition of Joseph Blachley of Guilford, against Thomas Wheedon of Branford, shewing to this Assembly that said Wheedon had four executions in his hands, as deputy-sheriff, to levy and collect about £11 6*s*. 4*d*. of said Blachley, granted against him in 1761, and that he had not personal estate to satisfie the same: to avoid imprisonment the said Wheedon required and said Blachley gave a lease to him of about one hundred acres of land situate in said Guilford for four years, by them valued at nine pounds *per annum;* that after the expiration of two years said Wheedon proposed to said Blachley to accept of £14 0*s*. 0*d*. in lieu of the remaining term of said lease, and that said Blachley procured one Nathaniel Stephens to secure said sum to said Wheedon, by means whereof he had lost the use of said farm ever since, and yet subjected to pay about £8 13*s*. 8*d*. still in arrear on account of said executions of said Wheedon, on said executions; praying for a committee to examine the matters referred to in said petition and report thereon &c., as by said petition on file: Resolved by this Assembly, that John Hubbard, and John Whiting, Esq^rs, and Mr. Thomas Howel, be and hereby are appointed a committee to enquire into the matters contained in said petition, and report their opinion in the premises to this Assembly in their present sessions.

Upon the petition of Joseph Blachley, of Guilford in Newhaven county, against Thomas Wheedon, of Branford in said county, representing that said Wheedon having executions against said Blachley as a deputy-sheriff, had by colour of his office exacted exorbitant sums for fees, as by the petition may appear: whereupon a committee being appointed have

made report that nothing is due in law or equity from said Wheedon to said Blachley, which report is accepted: Resolved by this Assembly, that said Wheedon shall recover his cost against the said Blachley, allowed to be £2 10*s.* 8*d.* *Ex. granted October* 31*st*, 1766.

Upon the memorial of Michael Humphrey and others, representing that a highway has been laid out by order of the General Assembly through the Green Woods, from near the house of Samuel Humphrey of Symsbury, deceased, towards Colo. David Whitney's in Canaan &c., and that provision hath been made by said Assembly for clearing said road and making it feasible for travelling, yet that by the fall of trees and the decay of bridges in said road the same is in great want of amendment and repairs, and that the towns of Barkhempstead, Winchester and Colebrook, through which said highway runs, not being incorporated, there are no persons whose business it is to keep said highway in repair; praying this Assembly to make provision for repairing and keeping in repair said road, as per memorial on file: Resolved by this Assembly, that each of the said towns of Barkhempstead, Winchester and Colebrook, shall within one month from the rising of this Assembly take effectual care to make said repairs and amendments in said highway within the limits of such towns respectively, as are of absolute necessity in order to render said road feasible for travelling until [250] next spring; || and that Messrs. Seth Smith of New Hartford, Joseph Rockwell of Colebrook, and Ezekiel Wilcox of Norfolk, be and they are hereby appointed a committee to inspect and take care that said road be put into repair. And in case the proprietors in said towns, or either of them, shall neglect to make such amendments as are of necessity as aforesaid, within one month, then such amendments shall be made by said committee. And it is further resolved, that each of the said towns of Barkhempsted, Winchester and Colebrook, shall cause said highway within their limits to be put in good and sufficient repair, suitable for travelling, by the first day of May next; and if they, or either of them, shall neglect to do it by said first day of May, it shall be done by said committee as soon as it can be done after that time. And also, whenever either of said towns shall at any time hereafter neglect to keep said highway in suitable and sufficient repair, the said committee shall cause such amendments and repairs to be made as are necessary; and so from time to time upon such neglect in any of said towns, until they shall be incorporated with town priviledges. And that said com-

mittee shall within six months after they shall have been at any expence in amending and repairing said highway carry or send a copy of their accounts to the proprietors' clerk of each town in which such amendments and repairs were made, which accounts shall by said clerk be laid before the committee of said proprietors, or if there be no committee before three of the principal proprietors of such town, and said clerk and committee, or the clerk and said three principal proprietors if there be no committee, shall and are hereby impowered to make and lay a rate or tax on the proprietors or owners of the land in such town, to raise a sufficient sum to pay off said accounts of the committee appointed by this act. And in case this committee appointed to inspect and keep said highway in repair shall not be paid for the labour and expence they are put to in repairing said highway, by the clerk and committee or the principal proprietors of the towns in which such repairs shall be made, within four months after their exhibiting their accounts as aforesaid, then it shall be lawful for them to sue such clerk and committee or principal proprietors in an action of book-debt, in which they shall recover for their labour and expence in repairing said highway. Provided, that in case such accounts of said committee so lodged with the clerk &c. be by the respective proprietors thought extravagant, that the same be adjusted by the county court for the county of Hartford.

Whereas upon the petition of Nathaniel Flynt of Windham, exhibited to this Assembly at their sessions in May last, representing that the proprietors of said Windham, by their committee by them appointed for that purpose, had bargained and sold certain lands to the petitioner with covenant of warranty &c.; that the petitioner had sold a part of said lands to one John Badlake, who was afterwards evicted &c.; that said proprietors or their said committee had no right or title to said lands at the time of executing their said deed, and the petitioner neither did nor could hold any of said lands by force of said deed executed to him &c.; praying for relief &c., as per petition on file: Messrs. William Wolcott, Ebenezer Williams and Robert Dixon, Esq^{rs}, were appointed a committte to repair to said Windham, examine into all matters contained in said petition and circumstances relating thereto, and of what they should find with their opinion to make report to this Assembly: And also, whereas said committee have made their report to this Assembly at their present sessions that, pursuant to said appointment, they have repaired to said Windham, notified said parties, largely

heard their evidences, pleas, allegations, &c., examined into said matters and all circumstances relating thereto &c.: that said committee by their said committee bargained and sold to the petitioner the said lands as mentioned in said petition, with covenant of warranty &c.; that said proprietors afterward at their meeting voted to stand by and confirm the doings of their said committee in selling said land &c.; and upon consideration of the whole matter, that said proprietors ought in equity to pay unto the petitioner forty-two pounds, lawful money, damages, and his cost in this process against them by petition &c., as per their report on file, which report is approved, and the same is hereby approved by this Assembly: And thereupon it is further resolved and enacted, that the said proprietors of the common and undivided land in said Windham pay and satisfie unto the petitioner the said sum of forty-four pounds, lawful money, damages, and his cost in this process against them, cost taxed at £13 6*s.* 0*d.*, and that execution go forth accordingly. *Ex. granted Decem. 9th*, 1766. *Alias ex. granted Feb. 12th*, 1767. *Alias ex. granted May 28th*, 1767.

Whereas upon the petition of Salmon Kingsly of Windham, exhibited to this Assembly at their sessions in May last, representing that the proprietors of said Windham by their committee by them appointed for that purpose had bargained and sold certain lands to one Jacob Woodward, with covenant of warranty; that said Woodward had bargained and sold the same lands to the petitioner with covenant of warranty, and that the petitioner had been evicted of said land &c.; praying for relief &c., as per petition on file: said Assembly [231] ‖ appointed William Wolcott, Ebenezer Williams and Robert Dixon, Esq^rs, a committee to repair to said Windham and examine into all the matters in said petition contained and circumstances relating thereto, and make report of what they should find with their opinion to this Assembly; and also whereas said committee have, pursuant thereto, made report to this Assembly, that they have repaired to said Windham and examined into all the matters contained in said petition, with all the evidences, circumstances &c., and that they find said proprietors by their said committee sold to said Jacob Woodward about eighty acres of said land, and that said Woodward sold the same to the petitioner, who has since been evicted, and that deeds contain covenants of warranty &c., and that said proprietors afterwards voted to stand by and confirm the doings of their said committee in the sale of said lands &c.; and that upon the whole the said proprietors on

their part in equity ought to pay unto the petitioner the sum of £47 8*s.* 4*d.* lawful money, damages, and the cost of this process against them by petition &c., as per their report on file, which report is approved, and this Assembly do hereby approve and accept of said report: And thereupon it is further resolved by this Assembly, that the said Hezekiah Manning and the rest of the proprietors of the common and undivided land in said Windham on their part pay and satisfie unto the petitioner the aforesaid sum of forty-seven pounds eight shillings and four pence, lawful money, and also his cost of this process by petition against them, cost taxed at £13 6*s.* 0*d.*, and that execution go forth accordingly. *Ex. granted Decem. 9th*, 1766.

Upon the petition of Elizabeth Marshal, wife of Thomas Marshal of Torrington, shewing to this Assembly that the petitioner for some years last past hath lived separately from her said husband, owing to great and continual uneasiness between them and cruelty exercised towards her on the part of said Thomas, and that at the time of their so separating it was agreed by and between the parties, that the said Thomas should allow and pay the sum of twenty-six shillings quarterly towards her maintenance and support, and to that end gave and executed a certain bond to Mr. John Whiting, of Torrington aforesaid, dated the 22d day of November, 1762, obliging him, said Thomas, to pay said sum: but that he hath not paid or answered more than five pounds three shillings of said sums; praying to have said Thomas ordered and obliged to fulfil his said agreement with the petitioner, as by the petition on file: Resolved by this Assembly, that the said Thomas Marshal do pay to the use and for the support of the said Elizabeth the sum of twenty-six shillings, lawful money, quarterly, according to the tenour of his said bond and agreement, and that execution be sued out by the said Mr. John Whiting of Torrington for the sum now arrear, *viz:* fourteen pounds six shillings for the time past, the last quarter ending the 22d day of August last past, and the cost of this prosecution, taxed at £ , and that the said twenty-six shillings quarterly be duly paid to her until this Assembly shall otherwise order.

Upon the petition of Thomas Elmor of Windsor, against Isaac Bidwell of Farmington and Roswell Mills of said Windsor, representing to this Assembly that the said Isaac Bidwell having as deputy-sheriff executions against him for considerable sums took a deed of him of about twenty acres of meadow land in said Windsor, being of great value, per deed

dated the 14th of July, 1763, as security for the payment of the sums then due on said executions, if anything, and fees for collecting, and that the said Bidwell afterwards sold and conveyed the said lands to said Mills, he, said Mills, having obtained the same for a small and inconsiderable sum, being privy to the state and circumstances under which the said Bidwell held the said land and taking advantage thereby &c.; praying to have the said lands returned to him, the petitioner, upon his paying the arrears of said execution and fees, if any thing shall be found due thereon, taking into account what advantages have been received by the improvement of the said land &c., as by the petition on file: Resolved by this Assembly, that John Chester, Zebulon West and Wm. Pitkin jun^{r}, Esq^{rs}, be and they are hereby appointed a committee with full power to enquire into the several matters alledged and set forth in said petition and make report of what they shall find with their opinion thereon to this Assembly in May next; and that the petitioner give good and sufficient bond with sureties in due form to the petitionees for the security of their costs that they may recover on this petition.

On the petition of Oswel Eve of Philadelphia, *vs.* Andrew Burr of Newhaven, shewing to this Assembly that the honorable superior court at said Newhaven in August term last dismissed his action of book-debt against said Burr commenced in November, 1764; complaining and alledging that said court therein manifestly erred and mistook the law; praying for a reversal thereof and a review of said case, as per his petition on file at large appears: Resolved by this Assembly, that in the said judgment there is manifest error, and the same is hereby reversed and set aside; and liberty is hereby granted unto the petitioner of a review of said case at the superior court to be held in said Newhaven on the last Tuesday of February next.

[232] The Sums Total of the Lists of the Polls and Rateable Estate of the Inhabitants of the several Towns hereafter mentioned sent in to this Assembly are as follow, viz:

Hartford,	£38720	11*s.*	3*d.*	Preston,	£22814	15*s.*	0*d.*
Windsor,	44806	17	0	Fairfield,	62326	18	11
Weathersfield,	30663	17	1	Stratford,	47030	0	0
Midletown,	57225	8	0	Norwalk,	39927	15	3
Farmington,	53323	8	5	Stamford,	31148	3	8
Symsbury,	25272	18	0	Greenwich,	19612	16	7
Haddam,	14379	9	8	Danbury,	23924	3	4
East Haddam,	23657	12	0	Newtown,	19410	7	0
Colchester,	28168	13	0	Ridgefield,	16165	10	1
Hebron,	21251	2	0	New Fairfield,	10541	18	9

Glastonbury,	14300	0	0	Windham,	28229	12	9
Bolton,	8923	17	0	Lebanon,	38282	3	0
Stafford,	8225	10	0	Plainfield,	12000	10	0
Tolland,	11799	3	0	Canterbury,	19103	7	2
Suffield,	18206	10	0	Mansfield,	18486	18	4
Enfield,	10967	3	0	Coventry,	20259	5	6
Sommers,	6842	5	0	Pomfret,	22852	17	0
Wellington,	6845	10	6	Killingly,	23711	7	0
New Haven,	57334	16	6	Ashford,	13358	8	8
Milford,	26299	16	2½	Voluntown,	11091	17	0
Guilford,	33971	2	11	Woodstock,	18000	0	0
Branford,	23523	13	1	Litchfield,	16407	9	0
Wallingford,	46256	6	4½	Woodberry,	45953	9	10
Derby,	15210	18	5	New Milford,	21314	13	5
Waterbury,	27959	17	3	Harwinton,	5716	0	0
Durham,	10998	13	7½	New Hartford,	6166	5	0
New London,	34558	8	9	Canaan,	11646	13	0
Norwich,	61556	9	8	Salisbury,	12930	6	0
Saybrook,	23380	16	0	Kent,	14578	0	0
Stonington,	35579	15	5	Sharon,	13667	5	6
Lyme,	21145	12	7	Cornwall,	6027	7	0
Killingworth,	17950	10	7	Goshen,	9749	10	0
Groton,	22768	16	1	Torrington,	4959	1	0

Upon the petition of Edward Hallick, of Newborough in the Province of New York, against Samuel Hall 3d of Wallingford, and David Jones, Esq^{r}, of Neck on Long Island, shewing to this Assembly that in settling and endorsing on a certain execution in favour of the petitioner against the said Hall on judgment of Newhaven county court in April, 1763, in which the said Jones was interested, a mistake was made to the petitioner's disadvantage: praying to have the same rectified and the sums justly due to the petitioner secured to him and paid in manner and form as in said petition particularly set forth, as by the petition on file may appear: Resolved by this Assembly, that Daniel Lyman, Esq^{r}, and Messrs. Samuel Bishop jun^{r} and Benjamin Douglass be and they are hereby appointed a committee with full power to look into the several matters alledged and set forth in this petition, and make report of what they shall find with their opinion thereon to this Assembly in May next.

Upon the memorial of Thomas Tousey, of Woodberry in the county of Litchfield, and Donald Grant, of Newtown in the county of Fairfield, shewing to this Assembly that the memorialists in the year 1764, projected a scheme for the building a bridge over Stratford River at a place between said New-

town and Woodberry aforesaid called Hinman's Ferry, and have since effected said scheme, and have finished a good bridge at said place, and have expended the sum of ninety pounds and ten shillings, lawful money, of their own estate over and above all subscriptions towards said bridge, which bridge is of great advantage to the public to travel on the road from said Newtown to Woodberry; praying this Assembly to decree a certain toll, exclusive of those who have subscribed, to be paid unto them by the travellers that pass over said bridge, in order to pay unto the memorialists their aforesaid expence &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty and they are hereby fully impowered, to require and receive a toll of all the travellers who are not subscribers towards said bridge that pass over the said bridge &c., *viz:* for every horse and rider for [233] passing || over said bridge a toll of two pence; for every foot man, one penny half-penny; for every cart and team, six pence: for every horse or neat beast, one penny, and for every sheep and swine one half-penny, and for every wheel-carriage with passengers, four pence; and the memorialists have liberty to have and receive and improve the aforesaid toll of the travellers that use the aforesaid bridge during the pleasure of this Assembly.

Upon the petition of Josiah Mead of Greenwich, against John Marshal of the same Greenwich and William Bush, Amos Mead and Ruth his wife of said Greenwich, children and heirs of Justus Bush late of said Greenwich, deceased, representing to this Assembly that the said John Marshal in concert with the said Justus Bush in his lifetime instituted a suit and obtained judgment before Fairfield county court in April, 1750, on a certain bond of indemnification against John Marshal late of said Greenwich, deceased, then absent at sea and never since heard of, which judgment being for a large sum, *viz:* the whole amount of the penal part of said bond, was afterwards, *viz:* in January, 1752, inforced and execution levied upon the whole of said John's part, *viz:* the one moiety of about thirty acres of land in said Greenwich called How's lot, Gale land, and Elisha lot, and the same land afterwards by the said John Marshal conveyed and made over to the said Justus Bush, and from him derived down to the petitioners; further shewing, that the said Josiah Mead by the said John's last will and testament became intituled to the one half of his, said John's, part and proportion of said about thirty acres of land; alledging that the said John's said land hath been taken from him in manner aforesaid without any good

and just cause or consideration, the said bond on which said judgment was founded having never been forfeited, and the party sued, *viz:* said John, not in a condition to appear and make any defence in said cause: praying to have said judgment of said county court and doings upon said execution vacated and set aside, as by the petition on file: Resolved by this Assembly, that Abraham Davenport, David Rowland and David Burr, Esq^rs, be and they are hereby appointed a committee and impowered to enquire into and consider of the matters alledged and complained of in the petition, and make report of what they shall find with their opinion thereon to this Assembly at their sessions in May next.

Upon the petition of Adam, an Indian, one of the natives and descendants of the New Haven or Quinepiaug Indians, in behalf of himself and the rest of said tribe, representing to this Assembly that by the ancient transactions of the proprietors of said Newhaven there was reserved for the use of said tribe three pieces of land at or near South End, so called, in said Newhaven, the whole containing about thirty acres, which lands John Morris late of said Newhaven, deceased, by a certain instrument under his hand and seal, dated 26th day of April, 1741, for himself, his heirs &c., covenanted with the said proprietors in behalf of said tribe to keep in proper condition and fenced for the use of said tribe for planting; that said Morris afterwards conveyed away said lands absolutely, and the same by mean conveyances have come to Timothy Tuttle jun^r and Joseph Tuttle of said Newhaven, who having entered upon said land so reserved for said tribe refuse to suffer any of them to make any improvement thereof; praying for relief, as per petition on file; also praying to have some suitable person appointed agent to conduct the said Indians' said affair for them: Resolved by this Assembly, that Nathaniel Ruggles and Nathaniel Hill, Esq^rs, of Guilford, and Samuel Barker, Esq^r, of Branford, be and they are hereby appointed a committee to hear and take into consideration all the matters contained in and referred to in said petition, and make report thereof with their opinion thereon to this or the next General Assembly at their sessions at Hartford in May next; and also, that Mr. Samuel Bishop jun^r, of said Newhaven, be and he is hereby appointed agent for said Indians, to manage and conduct for them in their behalf.

Whereas Hezekiah Huntington and Jabez Huntington, Esq^rs, were by this Assembly at their sessions in May last appointed a committee to repair to the town of Groton, enquire into the condition and circumstances of the Indians residing

there, and report to this Assembly with their opinion thereon: and whereas the aforesaid committee have reported to this Assembly that many of said Indians are poor and needy, and sundry of them widows who have lost their husbands in the late war &c., and that said Indians appeared disposed to attend preaching and to send their children to school, but that the parents of said Indian children seemed at present unable to [234] provide decent cloathing for said children to attend the school there: that they apprehended some further assistance was necessary, and that it was reasonable some further allowance should be made to the Reverend Mr. Johnson and to the schoolmaster there, for their respective services done and to be done for said Indians, &c., as per report on file: It is thereupon resolved by this Assembly, that the sum of twenty pounds be paid out of the public treasury of this Colony, and put into the hands of the aforesaid Hezekiah Huntington and Jabez Huntington, Esq^rs, who are hereby appointed a committee to advise and direct said Indians in the conduct and management of their affairs, and are instructed to apply said monies so by them to be received according to their best discretion, in procuring cloathing and some raw materials to be wrought up by said Indians for cloathing for the benefit of such of said poor children whose parents are unable to provide necessary cloathing for their said children to attend said school, all to be distributed to and among said poor children for the purpose aforesaid. It is also further resolved by this Assembly, that there be paid out of the public treasury of this Colony to the Reverend Mr. Jacob Johnson the sum of five pounds, lawful money, for his service in preaching to and among said Indians the year ensuing. And it is also further resolved by this Assembly, that there be paid out of the public treasury of this Colony the sum of four pounds to Mr. Hugh Sweetingham, for his service in teaching the school for said Indians the year ensuing: such allowance for preaching and teaching said school to be as a further encouragement and in addition to the allowance already made to them respectively by the Commissioners for Indian Affairs at Boston. And that a copy of this resolve shall be a sufficient warrant to the Treasurer of this Colony to pay the respective sums herein mentioned accordingly.

Whereas upon the memorial of Aaron Skinner and others, proprietors and principal inhabitants of the town of Colchester, praying to this Assembly that the line between the said towns of Colchester and Hebron might be settled and ascertained, Zebulon West, Hezekiah Brainerd, Esq^r, and Mr. Isaac Tracy

were by this Assembly at their sessions in May last appointed a committee with full power to examine into the whole matter and circumstances of the said divident line between the said towns of Colchester and Hebron, and make report of what they should find in the premises with their opinion &c. to this Assembly; which committee according to their said appointment, on the 22d day of September, 1766, met the said parties at said Colchester, and after due notice given and the parties being fully heard on the premises made their report to this Assembly, that the divident line between the towns of Colchester and Hebron shall be and remain as settled in the year 1715, *viz:* from the place where the brook which runneth out of the north meadow, so called, emptieth into Jeremiah's River, and from thence the said brook to be the bounds to the place where the same runneth out of said meadow; and from thence a line east to two stakes and heap of stones about them on a plain piece of land, which stakes and heap of stones stand south and by west from the southermost part of said pond; and from said stakes to run north and by east to a black-oak tree marked and stones about it, the northeast corner of Colchester township, as by said report will appear, which report is by this Assembly accepted and approved: Resolved by this Assembly, that the said line divident between said towns of Colchester and Hebron, said to be settled in the year 1715, and in said report described and in this bill with the bounds thereof mentioned, shall be and forever remain to be the dividing line between said towns of Colchester and Hebron.

Upon the memorial of John Quiomps, Amos Miller, Moses Quiomps, Simon Succients, Jacob Saious, Jonathan Noekey, Peter Pawkeag, and Ben Simons, Pequot Indians living in Stonington in the county of New London, in the behalf of themselves and the rest of said Pequots, shewing to this Assembly that Ebenezer Backus, Esq^{r}, of Norwich, and Lieut. Israel Heuit jun^{r} were by this Assembly appointed their overseers, which said Ebenezer Backus by reason of indisposition of body and his living so great a distance from them that nothing hath been done by said overseers for the settlement of their affairs, and praying that Mr. Charles Phelps of said Stonington might be appointed in the stead of said Backus, as per memorial on file: Resolved by this Assembly, that the said Charles Phelps be appointed and he is hereby appointed an overseer of said Indians, in the room and stead of said Ebenezer Backus, Esq^{r}, to take the oversight of said Indians and their estates in conjunction with the said Israel Huet jun^{r}.

Upon the memorial of Abel Buel, of Killingworth in the county of New London, representing to this Assembly that he had been convicted, before the honorable superior court holden at Norwich in and for the county of New London, of being guilty of altering the bills of public credit of this Colony and justly suffered the pains and penalties by law enjoined agreeable to the sentence of said court, and that from a compassionate regard and pity on his youthful follies, this Assembly did enlarge him from his prison and suffer him to follow the lawful business of his calling, in the prosecuting of which he [235] has discovered a method of grinding and polishing || chrystals and other stones of great value, all of the growth of this Colony, without the aid and assistance of any person skilled in that art, by which discovery a great saving and advantage will accrue to this Colony; praying that in consequence of such discovery he might be released from the punishments by law enjoyned, and that he might be restored to those liberties and priviledges which he had justly forfeited: Resolved by this Assembly, that the memorialist be restored to all those liberties and priviledges by him forfeited, he first giving bond with sufficient sureties to the Treasurer of this Colony in the penal sum of two hundred pounds, lawful money, that he be of peaceable and good behaviour, and that he will not offend in like manner against the laws of this Colony in that case made and provided; and that Benjamin Gale, Esq^r, of Killingworth, be directed, and he is hereby fully impowered, to take said bond and lodge the same in the Secretary's office.

Upon the memorial of Charles Ward Apthorp, of the City and Province of New York, shewing to this Assembly that he had purchased of Henry Downing of Boston a certain tract of land lying in Waterbury in this Colony, containing two hundred acres, bounded as in the memorial is set forth, per deed of mortgage or as for collateral security first made to said Deering by John Gould jun^r, late of Boston aforesaid now supposed to be deceased, bearing date the 30th day of July, 1764, and afterwards by the said Deering assigned over to the memorialist; further shewing, that said deed from said Gould to said Deering was omitted to be acknowledged by the said Gould by accident and mistake; praying to have liberty to record the same, and that the same may be good evidence &c., as by the memorial on file: Resolved by this Assembly, that the memorialist have liberty to record the said deed in the town records of Waterbury, and the same so being recorded shall (or office copies thereof) be as good

evidence to all intents and purposes for the holding the title to said lands as if the same was and had been acknowledged by the said John Gould jun^{r}.

Upon the memorial of Israel Curtiss of Stratford, and others, representing to this Assembly that at great cost and expence they have cleared a place in Stratford River for drawing a seine for catching fish, and praying for a grant to themselves of said place for fishing, as by their memorial on file appears: Resolved by this Assembly, that the memorialists, *viz:* Israel Curtiss, Ephraim Wilcoxson, Samuel Wilcoxson, Abraham Beardslee, George Lewis, William Wilcoxson, Joseph Wilcoxson, Abijah Thompson, Eli Lewis, James Lewis, Nathan Lewiss, William Thomson, David Curtiss, James Judson, John Booth, and Edmond Curtiss, have the priviledge and the whole and sole liberty, right and priviledge, of fishing in the hole and deep water lying in said river between the two channels, the one near Milford side, and the other near Stratford shore, bounded as follows: beginning on the south upon a line drawn direct west from a point on Milford shore twenty rods north of a piece of meadow called Ford's Hole, east on the channel of said river running near Milford side, and west on the channel running near Stratford side or shore, and running and extending the whole breadth between said channels northward one hundred rods is hereby given and granted to said memorialists, their heirs, successors and assigns, during the pleasure of this Assembly and till this Assembly shall order otherways. And said priviledge is granted to the memorialists exclusive of every other person, but only in case the grantees shall neglect to use said priviledge for the space of three days at once, that then any other person may use said place for fishing till the grantees shall resume the fishing there again.

Upon the memorial of William Orcut jun^{r}, of Stafford in Hartford county, representing to this Assembly that he hath lately built a house at or near the mineral spring in said Stafford, and into said house hath moved with his family and there dwells, and that the multitudes of people resorting to said spring for relief occasions him to deliver out spirituous liquors by small quantities, and that he hath not nor can he by law at any time obtain any lycence therefor; praying this Assembly to grant him lycence &c.: Resolved by this Assembly, that the said William Orcut jun^{r} have lycence and lycence is hereby granted to him, to keep a house of public entertainment at and in said house, with the same priviledges and under the same regulations as other houses of entertain-

ment are in this Colony, till the first day of May next: provided that the said William Orcut give bond to the treasurer of the county of Hartford to observe the laws &c. as others keeping houses of entertainment in said county are obliged to do, which bond any Assistant or justice of the peace living in said county are authorized, inabled and directed to take.

Upon the memorial of Stephen Hopkins of Hartford, administrator on the estate of Thomas Hopkins late of said Hartford, deceased, representing that the debts and charges due from said estate do exceed the moveable part thereof the sum of £11 6 11, lawful money; praying for liberty to make sale of so much of the real estate of said deceased as will be sufficient to pay and discharge the sum aforesaid: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto the memorialist, to make sale of so much of the real estate of said deceased as shall be sufficient to procure the aforesaid sum of £11 6 11, lawful money, with the incident charges of sale; taking the direction of the court of probate for the district of Hartford therein.

[236] Upon the memorial of Solomon Barns of Midletown, conservator of the person and estate of Thomas Barns of Midletown, shewing to this Assembly that said Thomas Barns about two years and six months since fell into distraction and attempted to make an end of his life, and remains under distraction to this time, and that he is advanced in years and his estate has been at great expence for his support, and that the memorialist had exhibited his account of his conservatorship to [the] adjourned county court held at Hartford third Tuesday of June last, of debts and credits of the said Thomas, and settled with said court, and was allowed due to balance the sum of £121 5*s*. 0*d*., and that the moveable estate was almost expended; praying for some suitable person or persons to be appointed to sell so much of the real estate of the said Thomas Barns as to make said sum of £121 5*s*. 0*d*. with the incident charges thereon arising, as per memorial on file: Resolved by this Assembly, that the memorialist with Seth Wetmore, Esq^{r}, be and they are hereby impowered to sell so much of the real estate of the said Thomas Barns as to make said sum of £121 5*s*. 0*d*. and the incident charges thereon arising, to pay the debts of the said Thomas.

Upon the memorial of Nehemiah Knap and Anne Morehouse, executors of the last will and testament of Andrew Morehouse late of Fairfield, deceased, shewing to this Assem-

bly that the debts, charges and allowance to the widow, allowed in the court of probate for the district of Fairfield out of and against the estate of said deceased, surmount the inventoried moveable estate of said deceased the sum of £60 18*s*. 1¾*d*. lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with incident charges &c., as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and they are hereby authorized and impowered, to sell so much of the real estate of said deceased Andrew Morehouse as will be sufficient to raise said sum of £60 18*s*. 1¾*d*. with the incident charges arising on such sale; taking the direction of the court of probate in the district of Fairfield therein.

Upon the memorial of Hannah Franklin, of Greenwich in the county of Fairfield, the only acting executrix of the last will and testament of Thomas Franklin late of said Greenwich, deceased, shewing to this Assembly that the said Thomas Franklin did in and by his said will make the said Hannah Franklin together with John Griffen and Uriah Fields executors of said will, and therein gave to the said Hannah all his moveable estate and a certain part of his real estate, and ordered the said Hannah to pay a certain legacy out of the same, which bequests and devises were given to the said Hannah in lieu of her dower if she chose to accept of the same, and if not then the said deceased ordered the same real estate to be sold to pay his debts, and that the said Hannah Franklin refused to accept of the same in lieu of dower, and that upon the other two executors refusing to accept of said trust, she sold the said real estate ordered in said will to be sold, and that the debts and charges with some allowance to the widow allowed by the court of probate against said estate surmount the moveable inventoried estate of the said deceased and the avails of the sale of the real estate ordered to be sold the sum of £139 8*s*. 8*d*. lawful money, and that there is no further provision in said will for the sale of any other real estate of the deceased than has been already sold, and therein praying for liberty and authority to sell and dispose of so much of the real estate of the said deceased as shall be sufficient to pay and discharge the said sum of £139 8*s*. 8*d*., as per memorial on file: Resolved by this Assembly, that the said Hannah Franklin have liberty and authority, and liberty and authority is hereby granted unto her, to sell and dispose of so much of the real estate of the said deceased as shall be sufficient to pay and discharge the said sum of £139 8*s*. 8*d*.

together with the incident charges arising on the sale thereof; taking the directions of the court of probate in the district of Stamford therein.

Upon the memorial of Hezekiah Talcott of Durham, administrator on the estate of Mr. John Talcott late of Durham, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable part thereof the sum of £118 9*s*. 3*d*. money, therefore praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty is hereby granted to the memorialist, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £118 9*s*. 3*d*. lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

Upon the memorial of Lucy Wakely and Asa Wakely of Haddam, administrators on the estate of Simeon Wakely late of Haddam, deceased, shewing to this Assembly that, through a mistake in the certificate of the clerk of the court of probate for the district of Midletown, they had liberty from this Assembly in October last to sell land to the amount of £54 13*s*. 6*d*. and no more, which was in fact £22 0*s*. 8*d*. less [237] ‖ than it ought to have been; also shewing that on the 6th of October instant he exhibited a further account of debts due from said estate, amounting to the sum of £12 4*s*. 8½*d*. which account was accepted by said court; thereupon praying for liberty to sell so much more of the real estate of said deceased as will procure said sums of £22 0*s*. 8*d*. and £12 4*s*. 8½*d*., making in the whole the sum of £34 5*s*. 4½*d*.: Resolved by this Assembly, that the memorialists have liberty and they are hereby authorized and impowered, to sell so much more of the real estate of said deceased as will procure the aforesaid sum of £34 5*s*. 4*d*. 2*q*. lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate for the district of Midletown therein.

Upon the memorial of Susanna Gross of Hartford, administratrix on the estate of Freeman Gross of said Hartford, formerly deceased, representing that the debts and charges due from said estate do surmount the moveable part thereof the sum of £22 3*s*. 10*d*. lawful money; praying for liberty to make sale of so much of the real estate &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto the memorialist, to make sale of so much of the real estate of said deceased as

shall procure the aforesaid sum of £22 3*s*. 10*d*. lawful money, with the incident charges of said sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Peter Hurlburt, executor of the last will and testament of John Buck late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased for which no certificate has heretofore been made surmount the moveable estate of said deceased the sum of £29 12*s*. 8¾*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to said memorialist, to make sale of so much of the real estate of said deceased as will raise said sum of £29 12*s*. 8¾*d*. lawful money, with the incident charges arising thereon; taking direction of the court of probate for the district of Hartford therein.

Upon the memorial of Luther and Eli Shepard, executors to the last will and testament of Joseph Shepard, late of Hartford in the county and district of Hartford, deceased, praying for liberty to sell real estate of the said deceased to the amount of £28 17*s*. 7*d*. for the payment of the debts due from said estate with incident charges of sale &c., as per said memorial on file: Resolved by this Assembly, that the said memorialists have liberty, and liberty is hereby granted to the said memorialists, to sell so much of the real estate of the said deceased as will raise said sum of £28 17 7, lawful money, with incident charge of sale; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Joseph Carter, administrator of the estate of Robert Carter late of Saybrook, deceased, shewing to this Assembly that the debts and charges allowed in the court of probate for the district of Guilford against the estate of said deceased surmount the inventoried moveable estate of said deceased the sum of £13 9 3, lawful money, and praying for liberty to sell so much of the real estate of said deceased as will be sufficient to raise said sum with incident charges &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty and he is hereby fully authorized and impowered, to sell so much of the real estate of said deceased as will be sufficient to raise said sum of £13 9 3, lawful money, with the incident charges arising on such sale; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of Joseph Tracey of Norwich, administrator on the estate of John Jones late of Norwich, deceased, shewing that debts, funeral charges and charges of administration, surmount the personal estate of said deceased the sum of £30 19*s*. 5½*d*. lawful money; praying liberty to sell so much of the real estate of said deceased as to raise the same with incident charges of sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the memorialist, to make sale of so much of the real estate of said deceased as to raise said sum of £30 19*s*. 4½*d*. lawful money, together with incident charges of sale; taking the advice of the court of probate for the district of Norwich therein.

Upon the memorial of Lois Belding, executrix of the last will and testament of Mr. Joseph Belding late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of said deceased the sum of £178 7*s*. 8½*d*. lawful money, for which no certificate has heretofore been given; praying for liberty to sell so much of the real estate of said deceased as will raise said sum of £178 7*s*. 8¾*d*., as per memorial &c.: Resolved by this Assembly, that the memorialist and Jonathan Belding, Esq[r], of said Weathersfield, have liberty, and liberty and authority is hereby granted to said Jonathan Belding and said memorialist, to make sale of so much of the real estate of said deceased as will raise said sum of £178 7*s*. 8¾*d*. lawful money, with incident charges arising thereon; taking direction of the court of probate for the district of Hartford therein.

[238] Upon the memorial of Paul Wheeler, of Stonington in the county of New London, shewing to this Assembly that the honored county court held at New London in and for said county on the 2d Tuesday of June, 1766, appointed the said Wheeler conservator over one John Wyat of said Stonington, an impotent person, and that he hath expended for support of the said Wyat the sum of £33 10*s*. 3*d*. as allowed by the county court held at Newlondon on the 10th day of June, 1766, and praying for liberty to sell so much of the real estate of the said Wyat as will raise said sum with incident charges arising on such sale, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby given to the memorialist, to sell so much of the real estate of the said Wyat as will raise the sum of £33 10 3 with the incident charges arising on such sale.

Upon the memorial of Jonathan Sturges of Fairfield, exec-

utor of the last will and testament of Samuel Sturges late of Fairfield, deceased, representing to this Assembly that the debts due from the estate of said deceased and allowed by the court of probate for the district of Fairfield, with an allowance of necessaries for the widow of said deceased, surmount the moveable estate of said deceased the sum of £120 2 2. lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfie said sum with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said deceased as will be sufficient to pay said sum of £120 2*s*. 2*d*. lawful money, with the incident charges arising thereon; taking the directions of the court of probate for the district of Fairfield therein.

Upon the memorial of John Read of Fairfield, administrator on the estate of Ruth Hun late of said Fairfield, deceased, representing to this Assembly that the debts due from the estate of said deceased and allowed by the court of probate for the district of Fairfield surmount the moveable estate of said deceased the sum of £353 19*s*. 8¼*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay and satisfie said sum with the incident charges arising thereon, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum of £353 19*s*. 3¼*d*. lawful money, with the incident charges arising thereon; taking the directions of the court of probate for the district of Fairfield therein.

Upon the memorial of Isaac Nichols and George Lewis, both of Stratford in Fairfield county, administrators with the will annexed on the estate of James Lewis late of said Stratford, deceased, representing that the said James by his last will and testament devised all his lands and meadows (except a small piece of meadow in said will given to his son David Lewis) to his two sons John Lewis and James Lewis, their heirs and assigns, and to his daughters Mary and Abigail all his moveable estate, and of his said will appointed his two sons John and James executors, and thereby also ordered and directed the said John and James to pay and satisfie all his just debts and funeral charges out of their portions in said will so devised to them as aforesaid; that said James the younger

died in the life time of the said testator, and said John hath renounced the executorship of said will and refused to accept said lands and pay said debts, which amount to the sum of £157 18*s*. 10*d*.; praying that the same may be paid out of the said fund so appropriated by the testator as aforesaid, in case of his personal estate so devised to his daughters, and that the memorialists may be appointed, authorized and impowered, to sell and convey the lands aforesaid, or so much as may be sufficient for that purpose &c., as per memorial on file: Resolved by this Assembly, that the said memorialists have liberty and power, and they are hereby authorized, directed and impowered, to sell and convey the said lands so in said will devised to the said John Lewis and James Lewis the younger for payment of the debts of the said deceased, or so much of them as may be sufficient to raise the said sum of £157 18*s*. 10*d*. lawful money, together with the incident charges of such sale; taking the advice of the court of probate for the district of Fairfield therein.

Upon the memorial of John Ward, administrator on the estate of John Thomas late of Newhaven, deceased, representing to this Assembly that the debts and charges allowed by the court of probate for the district of Newhaven against said estate, including some small allowance to the widow, surmount the whole moveable inventoried estate the sum of £23 6 10, lawful money, and praying for liberty to sell so much of the real estate of said deceased as shall raise said sum together with the incident charges thereon arising, as per memorial: Wherefore, resolved by this Assembly, that the memorialist be impowered and he is hereby impowered, to sell so much of the said real estate as will raise said sum together with the incident charges thereon arising; taking the direction of the court of probate for the district of Newhaven therein.

[239] Upon the memorial of Thomas Fitch junr, administrator of the estate of Thomas Hill junr, deceased, shewing to this Assembly that the debts with an allowance of necessaries to the widow of said deceased surmount the inventoried moveable estate and credits of the said deceased the sum of £103 9*s*. 5½*d*. lawful money, and therein praying for liberty and authority to sell and convey so much of the real estate of the said deceased as will be sufficient to pay and discharge the said sum of £103 9*s*. 5½*d*. and the lawful interest of the same from this time till he shall have a reasonable time to sell the same, with the incident charges on the sale of the same &c., as per memorial on file: Resolved by this Assembly, that the said Thomas Fitch junr have liberty and authority to sell and

convey so much of the real estate of the said deceased as will be sufficient to pay and discharge the said sum of £103 9*s*. 5½*d*. and the lawful interest of the same from that time until he shall have a reasonable time to sell the same, with the incident charges on the sale of the same; taking the directions of the court of probate in the district of Fairfield therein.

Upon the memorial of Richard Barnum and Richard Shute of Danbury, administrators on the estate of John Hoit late of Danbury, deceased, representing to this Assembly that the debts due from said estate surmount the moveable part of said estate the sum of £71 3*s*. 7*d*. 1.; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay said sum, as per memorial on file: Resolved by this Assembly, that the memorialists have liberty, and the same is hereby granted to them, to sell so much of the real estate of the deceased as will be sufficient to pay the sum of £71 3*s*. 7¼*d*. with the incident charges arising on such sale; taking the direction of the court of probate for the district of Danbury therein.

Upon the memorial of Nathaniel Matson jun^{r}, of Lyme in New London county, administrator on the estate of Daniel Ely jun^{r} late of said Lyme, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £154 7*s*. 3*d*.; praying for liberty to sell land &c., as per memorial on file: Resolved by this Assembly, that liberty be granted to the said Nathaniel Matson jun^{r}, and he is hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to raise said sum of £154 7*s*. 3*d*. with the incident charges arising on said sale; taking the advice and direction of the court of probate for the district of New London therein.

Upon the memorial of Luke Hovey, of Windham in Windham county, administrator on the estate of Ezekiel Armstrong, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the inventoried personal estate of said deceased the sum of £50 16*s*. 6*d*. money; praying liberty to make sale of so much of the real estate of said deceased as shall be sufficient to pay said sum with incident charges &c.: Resolved by this Assembly, that the said administrator be impowered, and he is hereby substituted and impowered, to make sale of so much of the said real estate as shall be sufficient to pay and satisfie said sum of £50 16*s*. 6*d*. money, with the incident charges arising thereon; taking direction of the court of probate for the district of Windham therein.

Upon the memorial of Hezekiah Holcomb, of Symsbury in the district of Hartford, administrator on the estate of Consider Holcomb of said Symsbury, deceased, shewing to this Assembly that the debts due from said estate, together with necessaries set out to the widow of said deceased, surmount the moveable estate of said deceased the sum of £14 8*s*. 10*d*. lawful money, as per memorial on file appears &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the memorialist, to make sale of so much of the real estate of said deceased as to raise the said sum of £14 8*s*. 10*d*. lawful money, with incident charges arising on said sale; taking the advice of the court of probate of the district of Hartford therein.

Upon the memorial of Abraham Thomson of Stratford, conservator of Thomas Thomson, shewing to this Assembly that he has expended sundry disbursements for the support of Thomas Thomson, which were examin'd and allowed by a special county court held in Fairfield on the first day of October, 1766, amounting to £18 13*s*. 7½*d*. lawful money; praying for liberty to sell so much of the real estate of said Thomas as to pay said sum &c., as per memorial &c.: Resolved by this Assembly, that the aforesaid Abraham Thomson have liberty with full power to sell so much of the real estate of the said Thomas Thomson as shall [raise] the sum of £18 13*s*. 7½*d*. lawful money, with the incident charges arising thereon.

Upon the memorial of Samuel Williams and Samuel Bissel, administrators on the estate of Ephraim Bissel late of Waterbury, deceased, shewing to this Assembly that the debts and charges against said estate, which was allowed over and above what hath been granted by this Assembly, surmount the moveable part of said estate the sum of £3 6*s*. 10*d*. lawful money, and praying for liberty to make sale of real estate &c., as per [240] memorial on file: || Resolved by this Assembly, that the memorialists have liberty, and they are hereby impowered, to make sale of so much of the real estate of the said deceased as to make said sum of £3 6 10, lawful money, with the incident charges arising on said sale; taking the direction of the court of probate for the district of Woodbury therein.

On the petition of John Chester, Esq[r], and the rest of the inhabitants of the town of Weathersfield in the county of Hartford, *vs*. Abigail Grimes of Weathersfield &c., as on file: The question was put, whether the pleas offered in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative.

On the petition of Ebenezer Keeney, Joseph Hull jun^{r} and John Wooster, all of Derby in the county of Newhaven, *vs.* Agur Tomlinson of Derby aforesaid, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Joseph Denison, of Stonington in the county of New London, *vs.* Joseph Allen, of Groton in said New London, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of James Olcott, of Harwinton in the county of Litchfield, *vs.* Samuel Barber of Harwinton aforesaid, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative.

On the petition of Samuel Selden, Moses Noyes and Hannah his wife, Jonathan Warner and Eliza his wife, Rebeccah Ely and Anne Selden, all of Lyme in New London county, *vs.* John Hudson, Hannah Hudson, Mary Hudson, Rachel Hudson, Edward Church, Nathaniel Mott, Ambrose Niles, Gideon Brockway, William Matson, Richard Brockway, Ezra Brockway, Eliphalet Brockway, Edward Brockway, John Brockway and Edward Brockway jun^{r}, all of Lyme aforesaid, as on file: The question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative.

On the petition of Joel Hotchkis, of Newhaven in the county of Newhaven, one of the inhabitants of Bethany in said town, and the rest of the inhabitants of said society, *vs.* Amos Perkins of said Newhaven, one of the principal inhabitants of the society of Amity in said town, and the rest of the inhabitants of said society, and Samuel Bishop jun^{r} of said Newhaven, one of the principal inhabitants of said town, and the rest of the inhabitants of said town, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Seth Knowles and Silvanus Waterman, both of Midletown in the county of Hartford, *vs.* William Pitkin jun^{r} of Hartford, Esq^{r}, sheriff of the county aforesaid, as on file: The question was put, whether anything should be granted on said petition: Resolved by this Assembly in the negative.

On the petition of Timothy Thomas, of Newhaven in the county of Newhaven, *vs.* James Peck of said Newhaven, as

on file: The question was put, whether in proceeding to and rendering the judgment of the superior court mentioned and referred to in the petition manifest error hath intervened, as therein is alledged and complained of: Resolved by this Assembly in the negative.

Resolved by this Assembly, That the Treasurer of this Colony be and he is hereby directed to attend on this Assembly on Thursday the 30th of October instant, furnished with money sufficient to pay the members thereof.

This Assembly grants to the Hon^ble^ William Pitkin, Esq^r^, Governor of this Colony, the sum of one hundred and fifty pounds, lawful money, for the last half of his salary the current year.

Ordered by this Assembly, That the Treasurer of this Colony pay to the Honourable William Pitkin, Esq^r^, Governor, the sum of one hundred and fifty pounds, lawful money, for his salary the last half of the current year.

This Assembly grants to the Hon^ble^ Jonathan Trumbull, Esq^r^, Deputy Governor of this Colony, the sum of fifty pounds, lawful money, for the last half of his salary the current year.

Upon the petition of Moses Parsons of Windsor, against William Utley of Ashford, brought to this Assembly, complaining of the said Utley's imposing on and deceiving him, the petitioner, in the sale of certain lands by a certain Indian named Matauxen; praying to have certain monies by him advanced and paid for said purchase refunded to him &c., as by [241] the petition on file: || Resolved by this Assembly, that Colo. John Chester, Colo. John Pitkin, and Mr. Jonathan Wells be and hereby [are] appointed a committee to enquire into all the matters and things set forth and complained of in the petition, and report their opinion of what is right to be done or granted thereon to this Assembly at their present or next sessions.

Oct. 31st, 1766. This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Test. GEORGE WYLLYS, Secret'y.

[242] *Anno Regni Regis Georgii tertii septimo.*

At a General Assembly of the Governor and Company of his Majesty's English Colony of Connecticut in New England in America holden at Hartford in said Colony (by special order of the Governor of the Colony aforesaid,) on the twenty-ninth day of January, and continued by adjournments until the thirty-first day of the same month, annoque Domini 1767.

Present:

The Honorable William Pitkin, Esq^{r}, *Governor.*

The Honorable Jonathan Trumbull, Esq^{r}, *Deputy Governor.*

Hezekiah Huntington, Esq^{r}, William Pitkin jun^{r}, Esq^{r},
Mathew Griswold, Esq^{r}, Roger Sherman, Esq^{r},
Shubael Conant, Esq^{r}, Robert Walker, Esq^{r},
Elisha Sheldon, Esq^{r}, Abraham Davenport, Esq^{r},
Eliphalet Dyer, Esq^{r}, Joseph Spencer, Esq^{r},
Jabez Huntington, Esq^{r},
} *Assistants.*

Representatives or Deputies of the Freemen of the several towns are as follow, viz:

Mr. John Ledyard, Colo. John Pitkin, for Hartford.
Mr. Alexander Wolcott, Mr. Mathew Rockwell, for Windsor.
Colo. John Chester, Capt. Elisha Williams, for Weathersfield.
Colo. Jabez Hamlin, Mr. Seth Wetmore, for Midletown.
Mr. Solomon Whitman, Capt. John Strong, for Farmington.
Mr. John Owen, for Symsbury.
Mr. Daniel Brainerd, for Haddam.
Mr. Daniel Foot, Capt. Peter Bulkley, for Colchester.
Mr. John Phelps, Capt. Samuel Gilbert, for Hebron.
Mr. Jonathan Wells, Mr. John Kimberly, for Glastonbury.
Mr. David Strong, Capt. Thomas Pitkin, for Bolton.
Mr. Daniel Alden jun^{r}, Mr. Nathan Johnson, for Stafford.
Capt. Zebulon West, Capt. Samuel Chapman, for Tolland.
Mr. William King, for Suffield.
Mr. Moses Holmes, Mr. Timothy Pearl, for Wellington.
Mr. Edward Collins, Mr. Nathaniel Terry jun^{r}, for Enfield.
Mr. Emery Pease, Mr. Rueben Sikes, for Sommers.
Mr. Daniel Lyman, Mr. Samuel Bishop, for Newhaven.
Mr. Nathaniel Hill, for Guilford.
Mr. Samuel Russell, for Branford.
Capt. Macock Ward, for Wallingford.
Mr. Jonathan Baldwin, Mr. Samuel Lewiss, for Waterbury.
Capt. James Wadsworth, Colo. Elihu Chauncey, for Durham.
Mr. Richard Law, Mr. William Hilhouse, for New London.

Mr. Joseph Tracey, for Norwich.
Capt. Hez^{h}. Whittlesey, for Saybrook.
Colo. Henry Babcock, Mr. Charles Phelps, for Stonington.
Mr. Benjamin Gale, for Killingworth.
[243] Capt. Joseph Mather, Mr. Elisha Marvin, for Lyme.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Mr. Simon Brewster, Capt. John Tyler, for Preston.
Ebenezer Silliman, Esq^{r}, for Fairfield.
Capt. Robert Fairchild, Capt. Ichabod Lewis, for Stratford.
Mr. Joseph Platt, for Norwalk.
Capt. Charles Webb, for Stamford.
Capt. Jabez Sherwood, for Greenwich.
Capt. Daniel Taylor, for Danbury.
Capt. Henry Glover, Mr. Oliver Tousey, for Newtown.
Mr. William Lee, Mr. Nathan Olmstead, for Ridgefield.
Capt. Dan Towner, Mr. James Potter, for New Fairfield.
Maj^{r} Jedidiah Elderkin, Mr. Hez^{h} Manning, for Windham.
Maj^{r} William Williams, Capt. Joshua West, for Lebanon.
Maj^{r} Ezekiel Pierce, for Plainfield.
Capt. Jabez Fitch, Mr. Stephen Frost, for Canterbury.
Mr. Samuel Stutson, Capt. Samuel Gurley, for Mansfield.
Capt. Ebenezer Kingsbury, for Coventry.
Mr. Jonath. Dresser, Colo. Israel Putnam, for Pomfret.
Mr. Bryant Brown, Mr. Silas Hutchins, for Killingly.
Capt. Jedidiah Fay, for Ashford.
Capt. Robert Dixon, for Voluntown.
Capt. Nehemiah Lyon, for Woodstock.
Colo. Ebenezer Marsh, Capt. John Marsh, for Litchfield.
Capt. Increase Moseley, for Woodbury.
Capt. Bushnel Bostwick, Capt. Samuel Canfield, for New Milford.
Mr. George Catlin, for Harwinton.
Capt. Mathew Gillet, Mr. Israel Loomiss, for New Hartford.
Capt. Charles Burrel, Mr. Samuel Forbes, for Canaan.
Capt. Thomas Chittendon, Mr. Joshua Porter, for Salisbury.
Mr. Cyrus Marsh, Mr. Eliphalet Comstock, for Kent.
Mr. Heman Swift, Mr. Thomas Russel, for Cornwall.
Capt. Samuel Nash, for Goshen.
Mr. John Cook, for Torrington.

Zebulon West, Esq^{r}, Speaker } of the House of
Maj^{r} William Williams, Clerk } Representatives.

An Act relating to Quarters for some of his Majesty's Forces in this Colony.

Whereas his Excellency Thomas Gage, Commander-in-Chief of his Majesty's forces in North America, by his letter

dated at New York the 8th of January instant,* hath acquainted his Honour the Governor that a vessel is just arrived there with one hundred and eighty-eight recruits from Germany for his Majesty's two battalions of the Royal American Regiment, and that the situation of those battalions renders it impracticable for these recruits to joyn them this winter: therefore signifying his request that quarters be provided at Stamford, Norwalk and Fairfield, or which shall be judged best of those towns, for two officers and one hundred thirty-four of his Majesty's troops, till April next: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said two officers and one hundred and thirty-four men be quartered and billeted in this Colony during this [244] winter season and until || April or May next, if needful before their march to their respective corps.

And whereas such soldiers cannot be quartered here at the several rates stated and fixed for their subsistence: Therefore,

Be it further enacted, That any person or persons on whom such soldiers shall be quartered shall be allowed and paid out of the treasury of this Colony so much more than is allowed by his Majesty for their subsistence as to make the same equal to five shillings, lawful money, per week, for each soldier so quartered and billeted on him or them.

And whereas it hath been found by experience, that private soldiers carrying their arms when not on duty hath been the occasion of notorious breaches of the peace, to the terror and disquiet of his Majesty's good subjects: For remedy whereof,

Be it further enacted by the authority aforesaid, That his Honour the Governor be and he is hereby desired to correspond with his Majesty's Commander-in-Chief, or other chief officer, on that head, and give proper orders to prevent such soldiers carrying their arms at any time except when called to duty.

And whereas the towns of Stamford, Norwalk and Fairfield, have been heretofore burthened with a great number of his Majesty's forces quartered and billeted on them during two winter seasons, and were encouraged that they should not be burthened therewith in future until some other towns had done service of the like nature; and it being appre-

* This letter and three others, which passed between Gov. Pitkin and Gen. Gage upon the subject, may be found in Almon's *Prior Documents*, 131, 132.

hended that the abovementioned two officers and one hundred and thirty-four men may be quartered in the towns of Newhaven, Wallingford and Branford, without detriment to his Majesty's service and with better justice in relation to the other three towns: Therefore, his Honour the Governor is hereby desired to acquaint his Excellency General Gage with this needful alteration of the towns in which the said soldiers be quartered, and that this detachment of his Majesty's forces be supplied with quarters in said towns of Newhaven, Wallingford and Branford; or if General Gage judge it detrimental to his Majesty's service to march them to those last-mentioned towns, then that they be supplied with quarters in the other towns of Stamford, Norwalk and Fairfield, and that his Honour the Governor give needful and specific orders to the authority of the towns, respectively, for quartering and billeting the same according to law.

An Act relating to Quarters for his Majesty's Forces in this Colony.

Whereas it may be sometimes necessary to quarter and billet in this Colony recruiting officers, recruits, and other of his Majesty's troops on their march, employed for the defence of his Majesty's North American dominions,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That when and as often, and during the continuance of this act, as proper application shall be made to any Assistant or justice of the peace inhabiting any town within this Colony for quartering or billeting any of his Majesty's troops as aforesaid, such Assistant or justice of the peace are hereby required, with all convenient speed, to quarter and billet such troops, employed in his Majesty's service as aforesaid, in any of the public houses within such town lycenced for the retailing strong liquors by small quantities, and the officers and soldiers so quartered and billeted shall be received and supplied with diet and small beer or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, to each man *per diem*, by the occupier of such lycenced houses, payment and allowance to be made therefor by such officer requesting quarters or billeting as aforesaid at the rates hereafter particularly expressed, *viz:* for one commission officer of foot under the degree of a captain, for his diet and small beer &c. *per diem*, one shilling sterling. and if such officer shall have an horse or horses, for hay for each *per diem* six pence sterling; and for each foot-soldier of any recruiting party, for diet and small beer *per diem* fourpence sterling.

And be it further enacted by the authority aforesaid, That every person in this Colony on whom any such non-commis-

sioned officer or soldier [is] quartered and billeted in pursuance of this act, as a reward for such entertainment and billeting over and above the allowance abovementioned shall be allowed three pence lawful money *per diem*, to be paid out of the treasury of this Colony.

And it is further enacted, That if the occupier of any such public licenced house shall refuse to receive and victual any such officer or soldier so quartered and billeted upon him according to the directions of this act, and be thereof duly convicted before any Assistant and justice of the peace, or two justices of the same county one being of the quorum, every person so offending shall forfeit to and for the use of this Colony the sum of forty shillings, lawful money, to be levied [245] by distress || and sale of the goods of the person so offending, by warrant under the hands of said authority before whom such conviction shall be, to be directed to the sheriff of said county, his deputy, or constable of the town wherein such offender shall dwell. Always provided, that no recruiting officer or party shall be billeted or quartered on any one place for more than seven days at a time; anything in this act to the contrary notwithstanding.

This act to be and continue in force from the rising of this Assembly until the rising of the Assembly in October next.

Resolved by this Assembly, That his Honour the Governor be desired to signifie to Richard Jackson, Esq^r^, Agent of the Colony, that the account as by him stated and mentioned to his Honour the Governor in his letter of the 8th of November, 1766, differing so immaterially from the government's account, this Assembly is entirely satisfied therewith, and that the same is hereby approved.

Upon the memorial of Nehemiah Palmer and Elizabeth his wife, administrators on the estate of Samuel Lattimer late of Weathersfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased (for which no certificate hath been hitherto given) surmounts the moveable estate of said deceased the sum of £82 19 8, lawful money; praying that so much of the real estate of said deceased may be sold as to raise said sum with incident charges, as per memorial on file may appear: Resolved by this Assembly, that Elisha Williams, Esq^r^, have liberty, and liberty and authority is hereby granted unto him, the said Elisha Williams, to make sale of so much of the real estate of said deceased as to raise said sum of £82 19*s*. 8*d*. lawful money, with incident charges arising thereon; taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Nathan Foot, conservator of the person and estate of Joseph Griffen, an impotent person, representing that the debts and allowances to said conservator, allowed to him by the county court in Newhaven on account of said impotent person, surmount the personal estate of said Griffen the sum of £16 3*s.* 11*d.*; praying for liberty to sell so much of the real estate of said Griffen as shall be sufficient to pay said sum together with the incident charges arising on the sale thereof, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted unto him, to make sale of so much of the real estate of said Griffen as shall be sufficient to pay said sum of £16 3*s.* 11*d.* lawful money, together with the incident charge arising upon the sale thereof.

This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Teste GEORGE WYLLYS, Secretary.

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[246] *Anno Regni Regis Georgii tertii septimo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT HARTFORD IN SAID COLONY ON THE SECOND THURSDAY OF MAY, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE FIFTH DAY OF JUNE NEXT FOLLOWING, ANNOQUE DOMINI 1767.

Present:

The Honorable William Pitkin, Esq^{r}, *Governor.*

The Honorable Jonathan Trumbull, Esq^{r}, *Deputy Governor.*

Hezekiah Huntington, Esq^{r}.	William Pitkin Jun^{r}, Esq^{r},	*Assistants.*
Mathew Griswold, Esq^{r},	Roger Sherman, Esq^{r},	
Shubael Conant, Esq^{r},	Robert Walker, Esq^{r},	
Elisha Sheldon, Esq^{r},	Abraham Davenport, Esq^{r},	
Eliphalet Dyer, Esq^{r},	Joseph Spencer, Esq^{r},	
Jabez Huntington, Esq^{r},		

Representatives or Deputies of the Freemen of the several Towns, viz:

Colo. John Pitkin, Mr. John Ledyard, for Hartford.
Mr. Alexander Wolcott, Mr. Mathew Rockwell, for Windsor.
Colo. John Chester, Capt. Elisha Williams, for Weathersfield.
Colo. Jabez Hamlin, Mr. Richard Alsop, for Midletown.
Capt. John Strong, Mr. Jonathan Root, for Farmington.
Mr. Oliver Humphrey, Capt. Hez^{a} Humphrey, for Symsbury.

Colo. Hez^{h} Brainerd, for Hadam.
Mr. Daniel Brainerd, for East Hadam.
Capt. Henry Champion, Capt. Peter Bulkley, for Colchester.
Mr. John Phelps, Capt. Samuel Gilbert, for Hebron.
Major Elizur Talcott, Mr. John Kimberly, for Glastonbury.
Capt Joel White, Capt. Benja. Talcott, for Bolton.
Capt. Isaac Pinney, Mr. Nathan Johnson, for Stafford.
Capt. Zebulon West, Capt. Sam^{l} Chapman, for Tolland.
Mr. William King, for Suffield.
Mr. Edward Collins, Capt. Jos. Olmstead, for Enfield.
Mr. Emry Pease, Mr. Reuben Sikes, for Somers.
Capt. Timothy Pearl, Mr. Moses Holmes, for Willington.
Mr. Daniel Lyman, Mr. Samuel Bishop, for New Haven.
Major Edward Allen, Mr. Robert Treat, for Milford.
Mr. Nathaniel Hill, Mr. Josiah Meiggs, for Guilford.
Capt. W^{m} Hoadly, Mr. Josiah Rogers, for Branford.
Colo. Benja. Hall, Capt. Macock Ward, for Wallingford.
Mr. John Holbrook, Capt. Joseph Osborn, for Derby.
[247] Mr. Jonathan Baldwin, for Waterbury.
Colo. Elihu Chauncey, Capt. James Wadsworth, for Durham.
Mr. Richard Law, Mr. William Hilhouse, for New London.
Mr. Isaac Tracey, Mr. Joseph Tracey, for Norwich.
Capt. Hez^{h} Whittelsey, Maj. John Murdock, for Saybrook.
Mr. Paul Wheeler, Mr. Charles Phelps, for Stonington.
Mr. Benjamin Gale, Capt. John Pierson, for Killingworth.
Mr. Samuel Holden Parsons, Mr. William Noyes, for Lyme.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Capt. Samuel Morgan, Colo. Samuel Coit, for Preston.
Ebenezer Silliman, Esq^{r}, Capt. David Burr, for Fairfield.
Capt. Robert Fairchild, Capt. Ichabod Lewis, for Stratford.
Mr. Thomas Fitch, Mr. Joseph Platt, for Norwalk.
Capt. Charles Webb, Colo. Jonathan Hoit, for Stamford.
Mr. John Mead, Capt. Edward Brush, for Greenwich.
Mr. Jos. Platt Cook, Capt. Daniel Taylor, for Danbury.
Capt. Henry Glover, Mr Oliver Tousey, for Newtown.
Mr. Samuel Olmstead, Mr. William Lee, for Ridgefield.
Capt. Dan Towner, Mr. James Potter, for New Fairfield.
Maj^{r}. Jedidiah Elderkin, Mr. Hez^{h} Manning, for Windham.
Maj^{r}. William Williams, Mr. Seth Bartlet, for Lebanon.
Mr. Elisha Payne, Maj. Ezekiel Pierce, for Plainfield.
Capt. Jabez Fitch, Mr. Stephen Frost, for Canterbury.
Mr. John Salter, Capt. Samuel Gurly, for Mansfield.
Mr. Phineas Strong, Mr. Richard Hale, for Coventry.
Colo. Ebenezer Williams, Colo. Israel Putnam, for Pomfret.
Mr. Bryant Brown, Mr. Benjamin Leavinze, for Killingly.

Capt. Benja. Sumner, Capt. Jedidiah Fay, for Ashford.
Capt. Robert Dixon, Mr. Samuel Stewart, for Voluntown.
Capt. Nehemiah Lyon, Mr. Jedidiah Morse, for Woodstock.
Capt. Oliver Wolcott, Capt. John Marsh, for Litchfield.
Mr. Daniel Sherman, Capt. Increase Moseley, for Woodberry.
Mr. Bushnel Bostwick, Capt. Samuel Canfield, for New Milford.
Mr. Jonathan Catlin, for Harwinton.
Capt. Mathew Gillet, Mr. Israel Loomiss, for New Hartford.
Mr. Benja. Stephens, Mr. Timo. Hurlburt, for Canaan.
Capt. John Williams, Mr. Jeremiah Day, for Sharon.
Mr. John Ransom, Mr. Eliphalet Comstock, for Kent.
Capt. Thomas Chittenden, Mr. Joshua Porter, for Salisbury.
Mr. Thomas Russell, Mr. Heman Swift, for Cornwal.
Capt. Moses Lyman, Capt. Edmund Beach, for Goshen.
Mr. John Cook, Mr. Noah Wilson, for Torrington.

Zebulon West, Esq^{r}, Speaker } of the House of
Mr. William Williams, Esq^{r}, Clerk } Representatives.

[248] May 14th. This day being appointed by the royal charter and the laws of this Colony for the Election of the public officers of the Colony, *viz:* Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, in manner accustomed, and then the votes of the freemen were given in to the persons appointed by the Assembly to receive, sort and count them, and to declare the names of such as should be chosen to any of the abovementioned offices, according to law; which persons were: Hezekiah Huntington, Esq^{r}, Mathew Griswold, Esq^{r}, Shubael Conant, Esq^{r}, Eliphalet Dyer, Esq^{r}, Jabez Huntington, Esq^{r}, Roger Sherman, Esq^{r}, Robert Walker, Esq^{r}, Abraham Davenport, Esq^{r}, Joseph Spencer, Esq^{r}, Mr. John Ledyard, Colo. Hezekiah Brainerd, Mr. Daniel Lyman, Maj. Edward Allen, Mr. Joseph Tracey, Mr. Benjamin Gale, Mr. Thomas Fitch jun., Mr. Joseph Platt Cook, Mr. Elisha Payne, Maj. Jedidiah Elderkin, Mr. Bushnel Bostwick, and Mr. Daniel Sherman, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honorable William Pitkin, Esq^{r}, is chosen Governor of this Colony for the year ensuing.

The Honorable Jonathan Trumbull, Esq^{r}, is chosen Deputy Governor of this Colony for the year ensuing

Hezekiah Huntington, Esq^{r}, Mathew Griswold, Esq^{r}, Shubael Conant, Esq^{r}, Elisha Sheldon, Esq^{r}, Eliphalet Dyer, Esq^{r}, Jabez Huntington, Esq^{r}, William Pitkin jun., Esq^{r}, Roger Sherman, Esq^{r}, Robert Walker, Esq^{r}, Abraham Davenport,

Esq^r^, William Samuel Johnson, Esq^r^, Joseph Spencer, Esq^r^, were chosen Assistants for the year ensuing.

Joseph Talcott, Esq^r^, is chosen Treasurer of this Colony for the year ensuing.

George Wyllys, Esq^r^, is chosen Secretary of this Colony for the year ensuing.

The Governor's oath appointed by the laws of this Colony, and the oath required by the act of Parliament made and passed in the fourth year of the reign of his Majesty George the third, entituled An act for granting certain duties in the British Colonies and Plantations in America &c., were in due form and manner administered to the Honorable William Pitkin, Esq^r^, now chosen Governor of the Colony of Connecticut.

The Deputy Governor's oath appointed by law was duly administered to the Honorable Jonathan Trumbull, Esq^r^, now chosen Deputy Governor of this Colony.

The Assistant's oath prescribed by the law of this Colony was duly administered to Hezekiah Huntington, Mathew Griswold, Shubael Conant, Elisha Sheldon, Eliphalet Dyer, Jabez Huntington, William Pitkin jun., Roger Sherman, Robert Walker, Abraham Davenport, and Joseph Spencer, Esq^rs^, now chosen Assistants over this Colony.

The Treasurer's oath prescribed by law was duly administered to Joseph Talcott, Esq^r^, now chosen Treasurer.

The Secretary's oath appointed by law was duly administered to George Wyllys, Esq^r^, now chosen Secretary of this Colony.

[249] *Ordered*, That Jabez Hamlin, Esq^r^, and Mr. Richard Alsop return the thanks of this Assembly to the Reverend Mr. Edward Eells, for his sermon delivered before the Assembly on the 14th instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Honorable Jonathan Trumbull, Esq^r^, to be Chief Judge of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint Robert Walker, Esq^r^, Mathew Griswold, Esq^r^, Eliphalet Dyer, Esq^r^, and Roger Sherman, Esq^r^, to be Judges of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r^, to be Judge of the County Court in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq^r^, to be Judge of the County Courts in and for the county of New Haven for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r, to be Judge of the County Courts in and for the county of New London for the year ensuing.

This Assembly do appoint David Rowland, Esq^r, to be Judge of the County Courts in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Shubael Conant, Esq^r, to be Judge of the County Courts in and for the county of Windham for the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the County Courts in and for the county of Litchfield for the year ensuing.

This Assembly do appoint Joseph Talcott, Esq^r, to be Judge of the Court of Probate for the district of Hartford for the year ensuing.

This Assembly do appoint Joseph Spencer, Esq^r, to be Judge of the Court of Probate for the district of East Haddam for the year ensuing.

This Assembly do appoint Jabez Hamlin, Esq^r, to be Judge of the Court of Probate for the district of Midletown for the year ensuing.

This Assembly do appoint Zebulon West, Esq^r, to be Judge of the Court of Probate in the district of Stafford for the year ensuing.

This Assembly do appoint John Hubbard, Esq^r, to be Judge of the Court of Probate for the district of New Haven for the year ensuing.

This Assembly do appoint Nathaniel Hill, Esq^r, to be Judge of the Court of Probate for the district of Guilford for the year ensuing.

This Assembly do appoint Gurdon Saltonstall, Esq^r, to be Judge of the Court of Probate for the district of New London for the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esq^r, to be Judge of the Court of Probate for the district of Norwich for the year ensuing.

This Assembly do appoint Charles Phelps, Esq^r, to be Judge of the Court of Probate for the district of Stonington for the year ensuing.

This Assembly do appoint David Rowland, Esq^r, to be Judge of the Court of Probate for the district of Fairfield for the year ensuing.

[250] This Assembly do appoint Jonathan Hoit, Esq^r, to be Judge of the Court of Probate for the district of Stamford for the year ensuing.

This Assembly do appoint Thomas Benedict, Esq^r, to be Judge of the Court of Probate for the district of Danbury for the year ensuing.

This Assembly do appoint the Hon^ble Jonathan Trumbull, Esq^r, to be Judge of the Court of Probate for the district of Windham for the year ensuing.

This Assembly do appoint Jabez Fitch, Esq^r, to be Judge of the Court of Probate for the district of Plainfield for the year ensuing.

This Assembly do appoint Ebenezer Williams, Esq^r, to be Judge of the Court of Probate for the district of Pomfret for the year ensuing.

This Assembly do appoint Daniel Sherman, Esq^r, to be Judge of the Court of Probate for the district of Woodbury for the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq^r, to be Judge of the Court of Probate for the district of Litchfield for the year ensuing.

This Assembly do appoint John Williams, Esq^r, to be Judge of the Court of Probate for the district of Sharon for the year ensuing.

This Assembly do appoint William Wolcott, Zebulon West, Seth Wetmore, and Samuel Talcott, Esq^rs, Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint John Chester, Jabez Hamlin, Joseph Fowler, George Wyllys, Joseph Talcott, John Ledyard, Thomas Hosmer, Jonathan Hills, John Pitkin, Elisha Williams, Samuel Enno, Erastus Wolcott, Josiah Bissel, Henry Allyn, Joseph Southmaid, Nathaniel Chauncey, Mathew Talcott, Solomon Whitman, Hezekiah Gridley, Jared Lee, Joseph Hart, John Strong, William Wadsworth, Selah Hart, John Owen, Judah Holcomb, Jonathan Pettibone, Hezekiah Humphrey, Hezekiah Brainerd, Joseph Wells, Jonathan Hale, John Kimberly, William Welles, Samuel Kent, Daniel Cone, Daniel Brainerd, Epaphras Lord, John Watrous, Daniel Foot, Peter Bulkley, John Phelps, Samuel Gilbert, Alexander Phelps, Ephraim Terry, Joseph Olmstead, Benjamin Talcott, Thomas Pitkin, Isaac Pinney, Daniel Alden, Abner Barker, Samuel Reynolds, Isaac Lee, Alexander King, Esq^rs, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly appoints Capt. David Sage, Mr. Nathaniel Freeman, and Capt. Henry Champion to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint John Hubbard, Elihu Chauncey, Thomas Darling, and Nathaniel Hill, Esq[rs], to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Roger Newton, Benjamin Hall, Samuel Sherman, John Whiting, Samuel Sacket, Daniel Lyman, Samuel Hemingway, Robert Treat, Nathan Baldwin, John Fowler, Timothy Russell, Daniel Holbrook, Charles French, Thomas Mathews, Joseph Hopkins, Caleb Humiston, Timothy Judd, Stephen Upson jun., John Hall, Elihu Hall, Caleb Merriman, Benjamin Hall 4th, Aaron Lyman, James Wadsworth jun., Theophilus Rossiter, Samuel Robinson, Nathaniel Ruggles, Josiah Meiggs, Jonathan Russel, Josiah Rogers, Samuel Barker, William Hoadly, James Barker, Jared Ingersoll, Samuel Bishop jun., John Davis, Timothy Todd, and Samuel Chittenden, Esq[rs], to be Justices of the Peace in and for the county of New Haven for the year ensuing.

This Assembly do appoint Christopher Avery, Richard Lord, Pygan Adams and Ebenezer Backus, Esq[rs], to be Justices of the Peace and Quorum for the county of New London the year ensuing.

[251] This Assembly do appoint Benjamin Gale, Elnathan Stephens, Joseph Wilcox, Aaron Eliot, John Pierson, Nathaniel Clark, John Tulley, Hezekiah Whittelsey, John Murdock, Samuel Ely, John Lay 2d, Benjamin Lee, George Dorr, Samuel Selden, Daniel Coit, William Hillhouse, Richard Law, Jeremiah Miller, Luke Perkins, William Williams, Ebenezer Avery, Nathan Smith, Joseph Denison, Samuel Prentice, Amos Cheesbrough, John Williams, Charles Phelps, Samuel Morgan, Samuel Coit, William Wittar, Humphrey Avery, Elisha Fitch, William Whiting, Ebenezer Hartshorn, Jacob Perkins, Simon Tracey jun., Samuel Huntington, Benjamin Huntington, John Shipman, Justus Buck, and Paul Wheeler, Esq[rs], to be Justices of the Peace in and for the county of New London for the year ensuing.

This Assembly do appoint Abraham Davenport, Esq[r], one of the Quorum of the County Court in and for the county of Fairfield for the year ensuing.

This Assembly do appoint John Read, Samuel Adams, and Robert Fairchild, Esq[rs], to be Justices of the Peace and Quorum in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Ebenezer Silliman, David Rowland, Agur Tomlinson, Ichabod Lewiss, Daniel Fairchild,

James Walker, William Burr, Thomas Hill, Lothrop Lewiss, David Burr, Samuel Sherwood, Samuel Bradley jun., Samuel Fitch, Thomas Fitch jun., Joseph Platt, Elias Betts, Theophilus Fitch, Jonathan Hoit, Jonathan Maltbie, Charles Webb, Peter Mead, Messenger Palmer, Samuel Olmstead, Samuel Smith, Thomas Benedict, Joseph Platt Cook, Samuel Taylor, Ephraim Hubbel, Thomas Brush, Caleb Baldwin, Richard Fairman, Edward Brush, and David Knap, Esq^{rs}, to be Justices of the Peace in and for the county of Fairfield for the year ensuing.

This Assembly do appoint Ebenezer Marsh, Increase Mosely, Daniel Sherman, and Bushnel Bostwick, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Litchfield the year ensuing.

This Assembly do appoint John Williams, Timothy Collins, Jacob Woodruff, Isaac Baldwin, Daniel Everit, Benjamin Hinman, Tilley Blackley, Gideon Walker, Paul Welch, Samuel Bostwick, Samuel Canfield, John Ransom, Daniel Lee, Nathan Eliot, Cyrus Marsh, Daniel Griswold, John Hutchinson, Joshua Porter, David Whitney, John Beebe, Charles Burrel, John Beach, Moses Lyman, Samuel Nash, Thomas Russel, Abijah Catlin, Isaac Kellogg, Mathew Gillet, John Cook, Epaphras Sheldon, Michael Humphrey, and Heman Swift, Esq^{rs}, to be Justices of the Peace in and for the county of Litchfield the year ensuing.

This Assembly do appoint James Landon, Esq^{r}, to be a Justice of the Peace in and for the county of Litchfield the year ensuing.

This Assembly do appoint Jabez Fitch, Joshua West, Jedidiah Elderkin, and Ebenezer Williams, Esq^{rs}, to be Justices of the Peace and Quorum in and for the county of Windham for the year ensuing.

This Assembly do appoint Jonathan Huntington, Nathaniel Huntington, Samuel Gray, Nathaniel Wales jun., Jacob Symons, Joseph Clark, William Metcalf, William Williams, Benjamin Wheeler, Isaac Coit, Elisha Payne, Colo. John Dyer, Samuel Huntington (of Canterbury), John Curtiss, Joseph Storrs, Joseph Strong, Phineas Strong, William Osgood, Thomas Williams, John Grosvenor, Samuel Danielson, Jacob Dresser, Elijah Whiton, Thomas Moffat, Benjamin Sumner, Robert Dixon, John Smith, Jeremiah Kinney, Samuel Chandler, Nathaniel Child, Ebenezer Smith jun., Ebenezer Wales, and Abner Sessions, Bryant Brown, and Hezekiah Manning, Esq^{rs}, to be Justices of the Peace in and for the county of Windham for the year ensuing.

This Assembly do appoint Mr. Benajah Bill to be a Justice of the Peace in and for the county of Windham for the year ensuing.

This Assembly [do establish] Mr. James How to be Ensign of the company or trainband in the parish of Midlesex in the 9th regiment in this Colony.

[252] This Assembly do establish Mr. Stephen Keyes to be Captain of the third company or trainband in the eleventh regiment in this Colony.

This Assembly do establish Mr. Josiah Sabin to be Lieutenant of the third company or trainband in the eleventh regiment in this Colony.

This Assembly do establish Mr. Leicester Grosvenor to be Ensign of the third company or trainband in the eleventh regiment in this Colony.

This Assembly do establish Mr. Daniel Williams to be Lieutenant of the fourth company or trainband in the town of Groton.

This Assembly do establish Mr. John Morgan jun. to be Ensign of the fourth company or trainband in the town of Groton.

This Assembly do establish Mr. Nathaniel Cornwell to be Lieutenant of the 11th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Cornelius Cornwell to be Ensign of the 11th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. John Dixon to be Captain of the eleventh company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Dixon jun. to be Lieutenant of the 11th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Robert Parke to be Ensign of the eleventh company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Amos Richardson to be Captain of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. William Wilson to be Lieutenant of the 9th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Thomas Fish to be Captain of the 3d company or trainband in Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Jonathan Fish to be Lieutenant of the 3d company or trainband in Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. Joseph Packer to be Ensign of the third company or trainband in Groton in the 8th regiment in this Colony.

This Assembly do establish Mr. John Hall jun. to be Captain of the first company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. Reuben Atwater to be Lieutenant of the 1st company or trainband in New Cheshire parish in the town of Wallingford.

This Assembly do establish Mr. John Benham to be Ensign of the first company or trainband in New Cheshire in the town of Wallingford.

This Assembly do establish Mr. Lemuel Morehouse jun. to be Ensign of the second company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Aaron Whetmore to be Ensign of the fourth company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Joseph Forward to be Ensign of the 3d company or trainband in the town of Symsbury.

This Assembly do establish Mr. Daniel Olmstead to be Ensign of the 1st company or trainband in the town of Ridgefield.

This Assembly do establish Mr. Daniel Picket to be Lieutenant of the second company or trainband in the town of New Milford.

This Assembly do establish Mr. Robert Hawkins to be Ensign of the second company or trainband in the town of New Milford.

[253] This Assembly do establish Mr. Abraham Fuller to [be] Ensign of the first company or trainband in the town of Kent.

This Assembly do establish Mr. William Holt to be Captain of the sixth company or trainband in the fifth regiment in this Colony.

This Assembly do establish Mr. Abiel Abbot to be Lieutenant of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. James Steadman to be Ensign of the 6th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Israel Hewit jun. to be Captain of the 2d company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. John Swan jun. to be Lieutenant of the second company or trainband in the 8th regiment in this Colony.

This Assembly do establish Mr. David Landon to be Lieutenant of the first company or trainband in the town of Litchfield.

This Assembly do establish Mr. Nathaniel Woodruff to be Ensign of the first company or trainband in the town of Litchfield.

This Assembly do establish Mr. Elisha Child to be Captain of the seventeenth company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Benjamin Lyon 2d to be Lieutenant of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen Lyon to be Ensign of the 17th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Abijah Learned to be Captain of the 11th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Elisha Williams to be Lieutenant of the 11th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Solomon Wales to be Ensign of the eleventh company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Noah Skinner to be Lieutenant of the 13th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Timothy Dutton to be Ensign of the 13th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Hezekiah Sturgis to be Lieutenant of the 2d company or trainband in the town of Fairfield.

This Assembly do establish Mr. John Whitear to be Ensign of the second company or trainband in the town of Fairfield.

This Assembly do establish Mr. David Miller to be Captain of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. William Ward to be Lieutenant of the 14th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Joseph Bartholomew to be Lieutenant of the second company or trainband in the town of Wallingford.

This Assembly do establish Mr. Benjamin Cook to be Ensign of the second company or trainband in the town of Wallingford.

[254] This Assembly do establish Mr. William Belcher to be Captain of the 3d company or trainband in the town of Preston.

This Assembly do establish Mr. Benjamin Coit to be Lieutenant of the third company or trainband in the town of Preston.

This Assembly do establish Mr. Samuel Tyler to be Ensign of the third company or trainband in the town of Preston.

This Assembly do establish Mr. Christopher Reed to be Lieutenant of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. George Denniss to be Captain of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. Ebenezer Fitch to [be] Ensign of the 9th company or trainband in the town of Norwich.

This Assembly do establish Mr. Samuel Shipman to be Captain of the first company or trainband in the seventh regiment in this Colony.

This Assembly do establish Mr. John Cockran to be Lieutenant of the first company or trainband in the seventh regiment in this Colony.

This Assembly do establish Mr. Christopher Lord to be Ensign of the first company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. John Symons jun. to be Ensign of the first company or trainband in the town of Enfield.

This Assembly do establish Mr. Charles Sperry to be Captain of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Moses Rice to be Lieutenant of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Lothrop Tyler to be Ensign of the first company or trainband in the town of Wallingford.

This Assembly do establish Mr. Abraham Gold to be Captain of the first company or trainband in the town of Fairfield.

This Assembly do establish Mr. Elijah Abel to be Lieutenant of the first company or trainband in the town of Fairfield.

This Assembly do establish Mr. Timothy Clark to be Captain of the fourth company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Samuel Fuller to be Lieutenant of the 4th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Daniel Dewey to be Ensign of the 4th company or trainband in the 12th regiment in this Colony.

This Assembly do establish Mr. Nathan Rossiter to be Ensign of the 5th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Gideon Hurlburt to be Lieutenant of the company or trainband at the west parish in the town of Fairfield.

This Assembly do establish Mr. John Andrews to be Ensign of the company or trainband at the west parish in the town of Fairfield.

This Assembly do establish Mr. Amos Northrop to be Ensign of the company or trainband in the parish of Newberry.

[255] This Assembly do establish Mr. Thaddeus Benedict to be Ensign of the first company or trainband in the town of Danbury.

This Assembly do establish Mr. Sherman Boardman to be Captain of the first company or trainband in the town of New Milford.

This Assembly do establish Mr. Joseph Hartwell to be Lieutenant of the first company or trainband in the town of New Milford.

This Assembly do establish Mr. Epenetus Platt to be Ensign of the first company or trainband in the town of New Milford.

This Assembly do establish Mr. Stephen Mead to be Captain of the company or trainband in the west division of Reading parish.

This Assembly do establish Mr. Zalmon Read to be Lieutenant of the company or trainband in the west division of Reading parish.

This Assembly do establish Mr. Isaac Lee jun. to be Captain of the 13th company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. John Judd to be Lieutenant of the thirteenth company or trainband in the sixth regiment in this Colony.

This Assembly do establish Mr. Lodowick Hotchkiss to be Ensign of the thirteenth company or trainband in the 6th regiment this Colony.

This Assembly do establish Mr. Nathaniel Haydon to be Ensign of the 2d company or trainband in the town of Windsor.

This Assembly do establish Mr. Jonathan Baldwin to be Captain of the first company or trainband in the town of Waterbury.

This Assembly do establish Mr. Andrew Brownson to be Lieutenant of the first company or trainband in the town of Waterbury.

This Assembly do establish Mr. Samuel Porter to be Ensign of the first company or trainband in the town of Waterbury.

This Assembly do establish Mr. Samuel Hart to be Captain of the fifteenth company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Roger Riley to be Lieutenant of the 15th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Elisha Savage to be Ensign of the fifteenth company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Jedidiah Blanchard to be Captain of the 15th company or trainband in the 5th regiment in this Colony.

This Assembly do establish and confirm Mr. John Warren to be Lieutenant of the 15th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Simeon Smith to be Ensign of the fifteenth company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Benjamin Isaacs to be Captain of the 2d company or trainband in the first society in the town of Norwalk.

This Assembly do establish Mr. Ezra Hoit to be Lieutenant of the 2d company or trainband in the first society in the town of Norwalk.

This Assembly do establish Mr. Seth Seymour to be Ensign of the second company or trainband in the 1st society in the town of Norwalk.

This Assembly do establish Mr. Ebenezer White to be Ensign of the 8th company or trainband in the 6th regiment in this Colony.

[256] This Assembly do establish Mr. Henry Sommers to be Ensign of the company or trainband part of North Fairfield and partly of North Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Nehemiah Brown to be Lieutenant of the westermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Joseph Galpin to be Ensign of the westermost company or trainband in the town of Greenwich.

This Assembly do establish Mr. Simeon Fuller to be Lieutenant of the second company or trainband in the town of Kent.

This Assembly do establish Mr. Joseph Carter to be Ensign of the 2d company or trainband in the town of Kent.

This Assembly do establish Mr. Nathan Burwell to be Captain of the 3d company or trainband in the town of Norwalk.

This Assembly do establish Mr. Samuel Taylor to be Lieutenant of the third company or trainband in the town of Norwalk.

This Assembly do establish Mr. Ozias Marvin to be Ensign of the third company or trainband in the town of Norwalk.

This Assembly do establish Mr. Elkanah Cobb to be Lieutenant of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Obadiah Johnson to be Ensign of the 2d company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Stephen Betts to be Cornet of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Samuel Belden to be Quarter-Master of the troop of horse in the 9th regiment in this Colony.

This Assembly do establish Mr. Ebenezer Chittenden to be Lieutenant of the 6th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. William Worthington to be Lieutenant of the 10th company or trainband in the 7th regiment in this Colony.

This Assembly do establish Mr. Henry Williams to be Captain of the fourth company or trainband in the town of Groton.

This Assembly do establish Mr. Daniel Williams to be Lieutenant of the fourth company or trainband in the town of Groton.

This Assembly do establish Mr. Simon Couch to be Ensign

of the company or trainband in the east division in the parish of Reading.

This Assembly do establish Mr. John Woodin to be Captain of the company or trainband formed out of the 5th and first company in the second regiment in this Colony.

This Assembly do establish Mr. Stephen Ford to be Lieutenant of the company or trainband formed out of the 5th and first company in the 2d regiment in this Colony.

This Assembly do establish Mr. John Gills to be Ensign of the company or trainband formed out of the 5th and 1st company in the second regiment in this Colony.

This Assembly do establish Mr. Matthew Dorr to be Captain of the 6th company or trainband in the town of Lyme.

This Assembly do appoint Samuel Moore jun., of Salisbury, to be a Surveyor of Lands for the county of Litchfield.

[257] An Act for Securing and the more speedy Collecting the Taxes, Fees, Fines and other Duties belonging to the public Treasury of this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That whosoever shall neglect to pay to the collector of the Colony tax his rate or tax now due by the first day of September next, the person so neglecting shall pay the interest on such rate or tax from that time until he has paid and discharged the same; and it shall be by the collector gathered with the principal sum due on such tax. And in case any person so neglecting shall refuse to pay such interest, every collector is hereby authorized and impowered to distrain and collect the same by force and virtue of his rate-warrant for collecting the rate or tax on which such interest may arise; and every person so neglecting shall and may be dealt with respecting the interest that shall so become due in like manner as is provided on neglecting to pay the principal sum due on such rate or tax; and every collector shall pay the interest from and after the first day of September next for such sum as shall then be due on the rate or tax by him to be collected until the same is paid into the treasury. And the Treasurer is hereby impowered to issue out execution for levying such interest, in the same manner as for levying the principal sum on such rate remaining due and payable.

Be it further enacted by the authority aforesaid, That every collector who shall hereafter be appointed to collect the Colony tax and neglects to pay into the Colony treasury such tax by him to be collected within sixty days next after the same is made payable and due, such negligent collector shall pay lawful interest on what shall be unpaid of such rate or tax

from and after the expiration of said sixty days until he pay and discharge the same. And the Treasurer of this Colony is hereby directed and authorized to issue out execution to levy and collect whatever interest shall become due for neglect of payment as above provided, in like manner as he is already impowered to issue out execution for levying and collecting the principal sum due on rates and taxes. And in case any collector shall prove insolvent, the town appointing such collector shall pay interest on all such taxes, in like manner as above provided in regard to the collector, and the same shall be levyed and collected of the selectmen of such town where the insolvent collector belonged, in the same manner as taxes by the law of this Colony are to be collected in case of insolvent collectors; and said selectmen shall have the same authority to levy and collect such interest as they have to collect the tax in case of insolvent collectors.

Be it further enacted by the authority aforesaid, That it shall be the duty of the clerk of the superior court *and* [at] the close of every circuit of said court, to give in to the Treasurer of this Colony a true account of all money fines, fees, forfeitures, or other dues issuing and accruing from said court and belonging to the public treasury; and the like account shall be by such clerk transmitted to and lodged with the Secretary, to be by him delivered to the Auditors of the public accounts, that the same may be entered for the benefit of the Colony.

Be it further enacted by the authority aforesaid, That when any sheriff has received money for rates on warrant from the Treasurer of this Colony against any collector or selectmen of any town, on the insolvency of the collector of such town, and shall neglect to pay the same within thirty days next after the receiving such money, such sheriff shall pay interest on such money until he pay the same to said Treasurer.

An Act in Addition to an Act made by this Assembly in October last intituled An Act for the further Alteration of one certain Act of this Colony intituled An Act for appointing, encouraging and supporting Schools.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, [258] That for this current year and in each year || annually for the future, there shall be paid out of the treasury of this Colony forty shillings, lawful money, to the several towns and societies in this Colony, upon every thousand pounds of the list of such towns and societies, instead of the twenty shillings on the thousand pounds provided for by an act of this Assembly made in their sessions in October last; and so in proportion for any lesser sums; which monies shall be paid

by the Treasurer of this Colony annually, as aforesaid, to the several school committees of the several towns and societies, and by them to be paid out and expended for the use and benefit of the schools therein, as is provided by said act.

An Act in further Addition to the Law of this Colony intituled An Act for the Directing and Regulating of Civil Actions.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That it shall be lawful to bring any suit or action before an Assistant or justice of the peace on any note or bill for the payment of money only, or on any bond conditioned for payment of money only and vouched by two witnesses, wherein the value of the debt due by such note or bill, or the value of the debt due by such condition, shall not exceed the sum of five pounds, lawful money. And such Assistant and justice are hereby authorized and impowered to hear, try and determine the same, and grant execution thereon accordingly.

Always provided, That liberty shall be allowed for an appeal from such judgment to the next county court, where the sum given by such Assistant or justice exceeds forty shillings lawful money; any law, usage or custom to the contrary notwithstanding.

An Act for the Reviving and Continuing an Act of this Assembly made and passed at the Session of this Assembly in May, one thousand seven hundred and sixty-one, entituled An Act in further Addition to the Law intituled An Act providing in Case of Sickness.

Whereas it was resolved by this Assembly at their sessions in May last, that the aforesaid act should continue and be in force until the rising of this Assembly, and no longer,

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the said act be revived, and the same is hereby revived, and shall continue and be in force until the rising of this Assembly in May next.

Ordered by this Assembly, That the Treasurer of this Colony pay out of the public treasury, for billeting his Majesty's forces in the towns of Newhaven and Branford, to the several persons hereafter named, said accounts being allowed and approved by said Assembly, *viz:*

To Daniel Lyman,	£5	13	2	To Medad Lyman,	£5	5	2
To John Beecher,	7	5	2	To Abraham Auger,	5	5	2
To Nathan Beers,	5	5	2	To Stephen Munson jun.	5	5	2
To Christopher Kilbey,	5	5	2	To Ephraim Goldsmith.	5	5	2
To Stephen Thomson,	4	11	10	To Stephen Morriss,	4	1	2
To Dan Ives,	4	1	2	To Aaron Day,	4	1	2
To Thomas Mansfield,	4	1	2	To Theophilus Goodyear,	4	1	2
To Caleb Beecher,	4	1	2				

To Stephen Peck, for searching for deserters,	0	4	0
To Ezekiel Hays,	3	1	2
To William Monroe,	4	15	6
To Joseph Barker,	4	9	8
To Samuel Buel,	4	0	0
To Amos Hitchcock, for sundry expences, as guide, ferriage, horsehire and teams & acc't,	1	8	2
To Benjamin Sandford for billeting one soldier 10 weeks,	1	0	0
To Richard Baldwin,	4	9	8
To Jacob Hoadly,	4	0	0
To Thomas Rogers,	4	0	0

This Assembly do appoint Mr. Samuel Dickingson of Danbury to be a Surveyor of Lands for the county of Fairfield.

[259] *Resolved by this Assembly*, That Colo. John Chester, Colo. Jabez Hamlin, Mr. John Ledyard, Mr. Richard Alsop, Major William Williams and Capt. John Lawrence be appointed Auditors, to settle and adjust all outstanding accounts and debts, of what nature soever, with the Treasurer, agents, King's attornies, and all other persons who may have the Colony's monies or security in their hands, and make report how they find all such outstanding accounts, and of all other their proceedings, unto the General Assembly at their sessions in October next.

Resolved by this Assembly, That the Treasurer of this Colony pay unto Capt. Titus Hurlburt of New London the sum of four pounds six shillings and eight pence, lawful money, out of the public treasury, in full of his account now exhibited for his services and monies expended in the year past in taking care of the Battery in New London.

Upon the petition of Benjamin Jacobs and Solomon Jacobs, of Mansfield in Windham county, children of Samuel Jacobs and Desire his wife late of said Mansfield, deceased, representing to this Assembly that their uncle Joseph Jacobs, now of Mansfield aforesaid, before the adjourned superior court held at Windham in Windham county on the third Tuesday of January A. D. 1767, recovered judgment against the petitioners for the seisin and possession of about fifty acres of land with buildings &c., situate in said Mansfield, with damages and cost, and evicted the petitioners thereof, whereby great injustice is done to the petitioners &c., for that their grandfather, Joseph Jacobs, deceased, in his life time made a settlement of his estate to and among his children by deeds, giving to the petitionee a large portion, and to the said Samuel, the petitioners' father, the land aforesaid with other lands, and

afterwards the said Samuel reconveyed said fifty acres to his father, said Joseph deceased, in consideration whereof said Joseph, deceased, executed a deed thereof to the petitioners &c., the children of the said Samuel, for their use and benefit, to have and hold the same as an estate in fee, excepting what the said Joseph their grandfather should need for the support of himself and wife in their life time; that soon after the petitionee obtained a deed of said fifty acres &c., and became bound to said Joseph, deceased, to maintain and support him and pay his debts &c., and to reconvey said fifty acres to the petitioners &c., in case they should pay to the petitionee what sums of money he should expend for said Joseph deceased, &c.; that in expectation of holding and enjoying said lands, the petitioners with their said mother supported the said Joseph, deceased, and his wife for many years &c.; that the petitionee never expended anything considerable for his said father and mother; that the petitionee had procured to be endorsed on said bond by him executed upwards of two thousand pounds, in order to defeat the petitioners' claim to said fifty acres &c. and prevent their holding the same by force of their deed &c.; and praying that the said Joseph, the petitionee, may be holden to render an account of what sums he hath expended in support of his said father and mother, and in payment of his debts &c., and to reconvey to the petitioners &c. the said fifty acres of land and appurtenances, or a part thereof as should appear just and reasonable; praying for a committee &c., as per petition on file: Resolved by this Assembly, that William Pitkin jun. of Hartford, Esqr. Josiah Bissel of Windsor, Esqr, and Mr. Jonathan Welles of Glastonbury, be and they are hereby appointed a committee with full power to call before them the parties, at such time and place as they shall appoint, and fully examine into all matters in said petition contained by the oath of the parties or otherwise, and all circumstances relative thereto; and of what they shall find, with their opinion thereon, to make report to this Assembly at their session in October next.

Upon the petition of James Marshal and others, the children and heirs of David Marshal late of Greenwich, deceased, which David was one of the children and heirs of John Marshal the elder, formerly of the same Greenwich, deceased, against John Marshal of said Greenwich, one of the children of said deceased John, and administrator on his estate, and others claimants by purchase or otherwise to some parts of said deceased's estate, shewing to this Assembly that upon a petition formerly preferred to this Assembly by the said admin-

istrator John Marshal, in May, 1760, representing certain difficulties attending the settling of the said estate in the ordinary course of the law, persons had been appointed to take an account of what and how much had been advanced to the several children of said deceased by the said administrator, and [260] which || being done, the said estate so far as then appeared had been distributed to and among the heirs and assignees of said estate pursuant to orders given by this Assembly for that purpose, and under the care and inspection of the court of probate; in which distribution was set by mistake to the petitioners as children and heirs of their said father, David Marshal, on account of his right to said estate as assignee of Zacheus Marshal, one of the children and heirs of the said deceased John, a certain piece of land part of said estate, *viz:* about twenty acres of land at Quakers Ridge, so called, in said Greenwich, which about twenty acres had been before purchased and paid for by the said David of the said John the administrator, and so not to have been distributed as portion; further shewing, that there still remains other and further lands and estate of the said deceased John, which has not ever been inventoried or distributed, sufficient to make up said loss to the petitioners, and more; praying to have the said remaining estate distributed to and among the said several heirs to the same or their assigns: first of all allowing and setting out to the petitioner out of said John's part of said remaining lands so much of said remaining lands and estate in the best and most convenient place and manner as shall be sufficient to compensate said loss occasioned by the mistake aforesaid; as by the petition on file: Resolved by this Assembly and it is hereby ordered and decreed, that the judge of the court of probate for the district of Fairfield do issue the necessary orders and give proper directions for the full and compleat settlement and distribution of the said estate as aforesaid, allowing and setting off for the petitionee, being the several children and heirs of the said deceased David, out of the said John's part of said remaining lands in the best and most convenient manner, such part of said remaining estate as shall be equal and sufficient to compensate for the said about twenty acres of land so by mistake set to the said David's heirs, as aforesaid.

Upon the petition of Josiah Gilman and John Bidwell, both of Hartford in the county of Hartford, administrators of John Gilman late of said Hartford, deceased, representing that having undertook to administer on said estate they made an inventory thereof, amounting to £913 0*s.* 3*d.*; that they had paid

debts due from said estate to the amount of £621 0*s*. 11*d*., and had been allowed by the court of probate for costs and charges of administration £66 8*s*. 5*d*.; that afterwards doubting whether said estate would be sufficient to answer all the debts due from said estate, they represented the same insolvent, and thereupon received orders from the court of probate to sell the whole personal and real estate of said deceased, which being done in a prudent and discreet manner, the sales amounted to the sum of £736 7*s*. 2*d*. and the sum of the debts due from said estate was returned by the commissioners appointed to examine the claims of the creditors £714 8*s*. 6*d*., before which return of said commissioners was accepted or any average decreed on said estate the executors of Peter Mallet, late of Stratford in the county of Fairfield, deceased, brought their action against them and recovered judgment against them, notwithstanding their pleading the said facts in abatement, whereby they are subjected to pay debts of the said deceased when they have not any estate of the said deceased in their hands; praying for relief: Resolved by this Assembly, that John Ledyard, William Wolcott and John Pitkin, Esq^{rs}, be and they are hereby appointed a committee to enquire what debts are now due from the estate of the said deceased, and what estate of the said deceased remains for the payment thereof, and whether anything and what sum ought to be paid in equity by the petitioners to the said Mallet's executors, and generally of the matters referred to in said petition, and such as may help and conduce to a just and equitable settlement of the said deceased's estate, and to report what they shall find to this or the next General Assembly, together with their opinion thereon.

Upon the petition of Messrs. Richard Wait, Joseph Mather, Dan Marvin and others, committees for managing the school money in the several societies in the town of Lyme in New London county, representing to this Assembly that one Gamaliel Whiting and Mary Gillet, executors of the last will and testament of John Gillet, late of Canaan in Litchfield county, deceased, did upon the 26th day of August last make sale of most of the lands belonging to the estate of said deceased Gillet, lying in said Canaan, to James Fanning of said Canaan, at public vendue; complaining of the unfairness of said sale and disadvantages they, said committees, were under for want of seasonable notice of the time of said sale, and that great loss would be brought upon the memorialists unless relieved [261] by this Assembly: ‖ Whereupon it appearing to this Assembly that the orders of the judge of probate for the dis-

trict of Sharon for the sale of said lands were not duly attended, it is therefore resolved by this Assembly, that the whole proceedings on the sale of said land be void and of none effect, and that the deed given by said executors to said Fanning, purporting a conveyance of said lands and describing them to be and lye in two pieces, the one to lye south of Norfolk road and to contain one hundred and nine acres and two quarters and nineteen rods with a dwelling-house thereon, the other piece to contain nine acres and thirty-one rods lying north of said road and opposite to said house: both said pieces of land lye in said Canaan, and said deed is dated the 17th day of September, A. D. 1766, and recorded in Canaan town records, is hereby vacated and made void. And it is hereby resolved, that the same shall never be given in evidence before any court. And this Assembly order and decree, that there shall be a new sale of said lands. And it appearing to this Assembly that said Whiting is insolvent and gone out of this Colony, and the said Mary Gillet, the other executrix on the said estate, is by age and other bodily infirmities rendered uncapable to transact and conduct said sale without manifest disadvantage: This Assembly do therefore appoint and authorize Benjamin Stephens of said Canaan to make sale of all the lands mentioned and described in said vacated deed, in such way and manner as shall be directed by the court of probate in the district of Sharon. And when the said Stephens shall have made sale of said lands, he is hereby ordered to account with the judge of the probate for said district for the avails of said sale; and said judge is hereby impowered so to order the disposition of said avails and profits arising on said sale as he shall judge proper and legal, for the benefit of the creditors of the said John Gillet, deceased.

Upon the petition of Asa Hopkins, Harris Hopkins and Abigail Hopkins, (the said Abigail being a minor,) all of Litchfield in the county of Litchfield, against Isaac Baldwin, Esq^{r}, of said Litchfield, and others, representing and shewing to this Assembly, that their mother, Abigail Hopkins of said Litchfield, late deceased, as the only child and heiress of her father, Joseph Harris formerly of said Litchfield, deceased, became seized in her own right of a very considerable real estate in Litchfield aforesaid, consisting of about seven hundred acres of land, and so being seized afterwards married the petitioners' late father, Asa Hopkins of said Litchfield, late deceased; and after having lived with him several years, and until after the birth of the said Asa first named, the petitioners' said father (for whatever reasons) began to

importune and urge your petitioners' said mother to join with him in passing away her said real estate to some third person, in order to obtain a reconveyance and fix the title in himself; to which the petitioners' said mother would by no means consent, alledging that there was no necessity therefor &c.; that the said Asa, the father, still pursued the said Abigail, the petitioners' said mother, with repeated and causeless importunity, with some mixture and degree of intimidation, until wearied out she at last, against her will and not without tears of grief, yield to and joined with her said husband in executing a deed to one Stephen Sedgwick of Farmington of all her said lands and real estate except the half of a certain dwelling-house and home-lot and a piece of land called the west hundred acres, and fifty acres by Waterbury River, said deed bearing date the 27th of December, 1744; that said Stephen Sedgwick afterwards on the same 27th of December aforesaid, by his deed of that date did reconvey the same land and premises back to the said Asa, the petitioners' said father, both of said deeds being acknowledged and recorded and pretending and counting upon a large sum of money as a consideration, when in fact and in truth no consideration was ever paid or received &c. And further shewing, that the said Asa, so having gotten to himself the legal title to said lands, afterwards by his deeds sold and conveyed unto James Bird of Salisbury certain twenty acres, part of said lands, which by mean conveyances is now vested in Alexander McNiel of said Litchfield, and certain four acres, part of said premises, to one Thomas Grant, now derived down to Solomon Marsh of said Litchfield, and also certain seventeen acres and an half, part of said premises, to one Isaac Bissel of said Litchfield, which he still holds, and also of certain ten acres and an half of said lands to Moses Stoddard of said Litchfield, which he still holds, and also of certain four acres of said lands to one James Landon, now derived to Solomon Marsh of said Litchfield, and also [262] other four acres of said land || to Isaac Marsh of said Litchfield, and which he yet holds, and that the residue of said lands remained undisposed of until the death of the petitioners' said mother, which happened on the second day of February, 1758, and until his, the said Asa's, death, which happened on the 18th day of September last past; that the said Asa dying much in debt, the whole of said remaining land and real estate is now likely to be taken away from the petitioners &c.; praying that upon their, the petitioners, quieting the aforesaid purchasers in the enjoyment of those

lands so by them bought of their said father, as aforesaid, in some reasonable way and manner, that the aforesaid deed given by the said Asa and Abigail Hopkins to said Stephen Sedgwick, and also the said deed so given by the said Sedgwick back to the said Asa Hopkins, as aforesaid, may be decreed null and void and of no effect: Resolved by this Assembly, that the said deed from the said Asa Hopkins and Abigail his wife to said Stephen Sedgwick, and also the said deed from the said Stephen Sedgwick to the said Asa Hopkins were unduly obtained as is aforesaid, and the same are therefore hereby vacated and declared to be null and void: provided nevertheless, and it is hereby further decreed and enacted, that the said several persons to whom the said Asa Hopkins made conveyances of the aforesaid parcels of the said lands shall be quieted in the full enjoyment of their said lands; and the several and respective heirs of the said Asa Hopkins, deceased, are accordingly hereby ordered and directed to make and execute proper quit-claims to them respectively for that purpose, as soon as the same can be conveniently done.

Upon the petition of Robert Cromeline and Mary Verplank of New York, and Nathaniel Shaw and Daniel Coit both of New London, shewing to this Assembly that James Tilley late of New London, deceased, for the consideration of six hundred pounds Connecticut old tenor bills, in the year 1748 mortgaged to John Richards, Esq^r, late of said New London, deceased, the house in which said Tilley lived with two pieces of land and a rope-walk, all in New London aforesaid, which mortgaged premises were of much greater value than the consideration aforesaid; that said Tilley died greatly insolvent, and largely indebted to said petitioners and other creditors; praying for liberty to redeem said mortgaged premises for the benefit of all said creditors &c., as per petition on file: Resolved by this Assembly, that said petitioners have, and they are hereby granted, the liberty to redeem said mortgaged premises for the use and benefit of all said creditors; and that upon the payment of the sum of one hundred fifty-one pounds one shilling, lawful money, to the executors of the said John Richards, deceased, that then the said executors of the said John Richards, deceased, release to the administratrix of the said James Tilley, deceased, all the right that accrued to the aforesaid John Richards, deceased, by virtue of the deed to him from said Tilley of said mortgaged premises, for the use and benefit of all the creditors of said Tilley, in proportion to the debts to them respectively due, or that the said executors of the said John

Richards, deceased, pay to the said administratrix the sum of four hundred pounds, lawful money, over and above the aforesaid sum herein ordered to be paid by said petitioners for the redemption of said mortgaged premises as aforesaid: the same to be applied to the use of the creditors of said Tilley, as aforesaid.

Upon the petition of Josiah Mead of Greenwich, preferred to this Assembly in October last, against John Marshal of the same Greenwich, and also against the children and heirs of Justus Bush late of said Greenwich, deceased, as assignee of the said John, representing to this Assembly that the said John Marshal obtained a judgment at Fairfield county court, April 3d Tuesday, 1750, for the sum of four hundred pounds current money against Jehu Marshal then of said Greenwich, the said Jehu being since dead and the said Josiah succeeding by will to his estate; said judgment being on a certain bond given by the said Jehu and one Micajah Marshal to the said John as administrator on the estate of his and their father then deceased, to save him, the said John, harmless in the matter of the claim of their sister Elizabeth Lyon to her portion in said estate; on which judgment the said John had levied execution upon certain lands called Elisha lot, How's lot, and Gate-land, in Greenwich aforesaid, which were and had been set off to the said Micajah and Jehu by the said [263] John as their portion in their said father's estate; ‖ further representing that the said John had never been any ways harmed by the claim of said Elizabeth in the matter aforesaid, and charging that the said judgment was obtained by default and by surprize, without any just cause or foundation; praying to have the same vacated and set aside as well as the levy of said execution &c., as by the petition on file: upon which petition a committee being appointed in October last, to enquire into the said several matters and make their report &c., and now having reported the said several matters in favour of the petitioner with their opinion that said judgment and all the proceedings with and upon the said execution ought to be vacated and set aside, as by the report on file may more fully appear, which report is accepted: Whereupon it is resolved by this Assembly, that the said judgment of the said county court and all the proceedings with and upon the said execution be and the same are hereby vacated, set aside and made null and void, and not allowed, or any copies thereof, to be given in evidence upon any tryal. *Cost allowed pet'r is* £13 0*s.* 10*d.* *Ex. granted Oct.* 30, 1767.

Upon the petition of John Tanner, now living on a country

grant adjoining to the west side of Pittsfield in Berkshire county and Province of the Massachusets Bay, shewing to this Assembly that the petitioner upon the 28th day of June, 1758, being indebted to William Tanner late of Cornwal, deceased, the sum of £31 13 4, lawful money, payable by the first day of December A.D. 1763, was obliged to give land security for the performance thereof, and upon said 28th of June aforesaid the petitioner executed unto said William a clear deed of two pieces of land lying in said Cornwal, the one containing twelve acres, being part of the 50th lot in the first division of land in said Cornwall, the other piece containing three roods and four rods, being land formerly sold by said William Tanner and Joseph Allen to said John Tanner, and particularly bounded in said deed, which is entered on Cornwall records, and that thereupon the said William Tanner gave and executed unto the petitioner a good counter bond, thereby obliging himself under the penalty of £100 0*s*. 0*d*. to reconvey back said lands to the petitioner upon the payment of said debt by the petitioner to said William by the first of December, 1763, and that long before the expiration of the time aforesaid allowed for the redemption of said lands one Appleton Burnham of Cornwal caused a legal execution in his favour against said William to be levied on part of said land, and so much thereof was by virtue of said execution taken that the same was apprised at £32 18*s*. 11*d*., and that the residue of the lands contained in said deed would, according to the usual course of the common law, be applied to the payment of said William's debts; praying for the equitable interposition of this Assembly: Resolved by this Assembly, that Abner Chandler, the administrator of the insolvent estate of said William Tanner, shall within one year from the beginning of this session of Assembly, upon the reasonable request of the said John Tanner, execute a good ample deed of release unto the said John Tanner, his heirs and assigns, of the residue of the lands contained in said deed and remaining unlevied on by said Burnham's said execution, under the penalty of forfeiting twenty pounds lawful money to said John Tanner in case of disobedience to this order of Assembly; and that such deed of release, so executed as aforesaid, shall revest the said John Tanner with equal right and title to said residue of said lands as if such deed had been executed by the said William to the said John in his, the said William's, life time, and of equal evidence and force in law for the benefit of the said John Tanner, his heirs and assigns.

Upon the petition of Jonathan Smith, of Woodberry in

Litchfield county, and Esther his wife, executors of the last will and testament of William Slade jun., late of Windsor in Hartford county, deceased, representing to this Assembly that William Slade senior, of said Windsor, upon the first day of June A.D. 1754, conveyed to the said deceased William Slade jun., his son, a tract of land in said Windsor, bounded east partly on highway and partly on James Slade's land, north on Samuel Parker, west on highway, south on Moses Strong, with the buildings thereon, containing about ninety acres, to enable his said son to support him in his old age; and that the said son then gave his father a lifelease of the premises and a bond of one thousand pounds penalty, to oblige himself to support his said father; that the said son soon after dyed, and that the said Esther had accepted the trust of executing his last will, and that for want of support the said William Slade senior had recovered a judgment on said bond against the petitioners as executors to said son's last will, for the sum of one thousand pounds lawful money debt, and £2 15*s.* 9*d.* like money costs, before the county court held at Hartford in Hartford county upon the second Tuesday of April, A.D. 1764; that said judgment remains [264] unsatisfied, || and that there is no estate of said deceased left to satisfie said judgment except the aforesaid land, and praying for the interposition of this Assembly: Resolved by this Assembly, that no further proceedings shall be had or done on said judgment of said county court on said bond. And it appearing to this Assembly, that said William Slade the father, by reason of advanced age and decays of nature, labours under great disadvantage in the management of his affairs: This Assembly do therefore appoint the selectmen of the town of Windsor aforesaid, for the time being, and their successors in said office, overseers and conservators of said William Slade and his estate, with full power to hear, examine and adjust the claims and demands of all persons for the past support of said William Slade and for all services relative thereto, and to adjust the demands of the petitioners relative to the preferring the aforesaid petition, and to allow their reasonable demand for service and disbursments in the premises. And it is also resolved by this Assembly, that the said selectmen be fully impowered to sell, dispose of and firmly convey to any purchaser or purchasers, so much of the said lands conveyed by him, the said William Slade, to the said deceased as aforesaid, remaining now unsold, as shall be sufficient to pay and satisfie the demands aforesaid when ascertained by said selectmen's adjustment, and to pay off and satisfie the same by the avails of said sale or sales; and

that said selectmen from time to time take care that said William be comfortably supported and provided for, and lay their future accounts thereof before the county court for Hartford county at convenient times for their adjustment, and the same being allowed, the said selectmen are also impowered to sell and dispose of so much of the lands aforesaid as shall be necessary from time to time to defray the charges and expence of said support and necessary charges arising by means of the premises, excepting what the selectmen obtain by the improvement of said lands in the mean time, towards his, the said William's, support.

Upon the petition of Robert Ray, of the city and Province of New York, (the now only surviving partner of the late company of Robert and Richard Ray of said New York, merchants in company,) representing that the petitioner and the said Richard in his life time, before the adjourned county court held at Hartford on the 3d Tuesday of June, 1764, recovered two certain judgments against Josiah Burnham, of Farmington in said county, one for the sum of £242 16 3, New York money, damages, and £2 15 9, lawful money, costs, the other for the sum of £336 10*s.* 7*d.* New York money, and £2 15*s.* 9*d.* lawful money, and prayed out executions thereon, and delivered the same into the hands of John Skinner jun., sheriff's deputy; that said sheriff's deputy on the 6th of October, 1764, levied the same on certain lands lying in said Farmington belonging to said Burnham &c., and afterwards proceeded to have the same apprised &c. in order to the satisfying of said two executions &c.: that one way and another the said sheriff's deputy was delayed and omitted to make return of his doings thereon within the time limited in said executions, and that therefore the petitioner and said Richard had not acquired a full and ample title to said lands, &c.; as per petition &c.; praying that he may pray out *alias* executions on said two judgments recovered in June aforesaid against said Burnham &c.: Resolved by this Assembly, that the clerk of the county court in said county of Hartford do reissue said two executions on said two judgments, and that said officer do proceed and perfect his levying the same on the lands of said Burnham taken and apprized as aforesaid, *viz:* so much thereof as shall amount to the sums of said executions with the charges arising thereon; and that the doings of said officer and said apprizers being fully expressed in writing, attested by said officer and annexed to said executions, and the same returned and recorded as the law directs, shall be as good and valid in law and as compleat

evidence of a title to such lands so taken and levied upon, as aforesaid, as though the same had been compleated and finished as aforesaid.

Upon the petition of Richard Van Dyck, of the city and Province of New York, administrator on the estate of Elizabeth Strang, late of Rye in the county of Westchester and Province aforesaid, and now deceased, shewing to this Assembly that he, as administrator as aforesaid, brought his certain action of trover and conversion against Daniel Strang, of Rye aforesaid, to Fairfield county court held in Fairfield on the 3d Tuesday of November, 1765, for certain goods and chattels belonging to the estate of said deceased, and that said action came by sundry legal removes to the adjourned county [265] ‖ court held in Fairfield on the 4th Tuesday of January last past, when and where the parties were at issue before the court and jury on the plea of not guilty, and that verdict and judgment in said action were against said Van Dyck, and that thereupon he moved for and was admitted an appeal from said judgment to the superior court to be held in said Fairfield in February then next, but that by meer accident and mistake he omitted duly to give bond to prosecute said appeal; praying for leave to enter his said action for tryal in the superior court to be held in Fairfield in Fairfield county on the last Tuesday save one in August next, on his giving bond to answer all such damages and cost as may be recovered against him; as per petition on file: Resolved by this Assembly, that the petitioner have leave, and leave and liberty is hereby granted to him, to enter and prosecute his said action by way of appeal in the superior court to be holden in Fairfield in Fairfield county on the last Tuesday save one in August next for tryal, on his giving sufficient bond before said court to prosecute his said action to effect and answer all costs and damages in case he fail therein.

Upon the petition of Daniel Lothrop and Sarah Marsh of Norwich, administrators on the estate of Jonathan Marsh late of said Norwich, deceased, against Pygan Adams, Esq[r], and Joseph Coit of New London, complaining of error in the judgment of the superior court held at Norwich on the 4th Tuesday of March last, in an action wherein the said Jonathan Marsh in his life time was plaintiff and the petitioners since his death, and the petitionees were defendants, in the assessing the damages in said case; praying to have said judgment reversed, and to have liberty of a new tryal in said case for the purpose of having the said damage assessed, with liberty to have the same done by a jury of inquest; as by the peti-

tion on file: Resolved by this Assembly, that the said judgment complained of is erroneous, and the same is hereby reversed and set aside, and liberty is granted to the petitioners to enter their said action at the superior court to be held at New London on the fourth Tuesday of September next, for the purpose of having the said damages assessed, and which the said court are hereby directed to cause to be done by a jury of inquest for that purpose to be impanelled.

Upon the petition of Samuel Tozer of Colchester, representing to this Assembly that he with one William Clark of said Colchester were jointly indebted unto Joseph Webb late of Weathersfield, deceased, in his life time, in a large sum for goods and merchandize by them bought and received of said Webb, in partnership, and that the petitioner was also indebted to said Webb on his own private account; that after the decease of said Joseph Webb the petitioner was prevailed upon by Mr. Silas Dean of said Weathersfield, (who hath married the widow of said deceased and is administratrix on the estate of said deceased,) to convey and make over to the said Silas and Mehitabel his wife, said administratrix, all his estate both real and personal, upon the agreement and promise of the said Silas that he, the petitioner, should have and enjoy said estate as long as he pleased, paying the interest arising on said debts, and also that the said Silas should and would pay all other debts that the petitioner owed and save him from all cost and expence thereon, and hold the said estate in trust for the benefit of the petitioner; that the said Silas having gotten conveyances of said estate, his agreement notwithstanding, immediately divested the petitioner of the possession of all said estate both real and personal, suffered and caused him to be imprisoned, and hath left him and his family in a most distressed condition, although said estate is much more than sufficient to pay all the petitioner's debts &c.: praying for relief &c. as per petition on file: Resolved by this Assembly, that Joseph Spencer, Esq^r, Capt. Joshua West of Lebanon, and Capt. Richard Alsop of Middletown, be and they are hereby appointed a committee with full power to call before them said parties, at such time and place as they shall appoint, and fully examine into all matters set forth in said petition by examining the parties upon oath or otherwise, and all other evidences and exhibits relative thereto, together with all attending circumstances; and of what they should find together with their opinion thereon to make report to this Assembly at their next session, or as soon as may be.

[266] Upon the petition of William Roberts, of Amenia

precinct in Dutchess county and Province of New York, representing that Samuel Smith, of Sharon in the county of Litchfield, at an adjourned county court held at Litchfield on the first Tuesday of August, 1766, recovered judgment against him for the sum of one hundred pounds New York money, on a note of hand which was given by the petitioner to said Smith for one certain negro man slave for life to said Smith, whom said Smith delivered to the petitioner to sell and dispose of for him, with instructions to the petitioner that if he could not sell said negro he might send him home at the proper risque of him, said Smith, and in that case said note was to have been given up; which negro the petitioner, not being able to sell, did dismiss in order to return home, but said negro hath never returned home and is lost, and the said Smith hath contrary to his engagements refused to deliver up said note, but having recovered judgment thereon hath procured an execution thereon to be levied on the petitioner's land; praying, &c.: Resolved by this Assembly, that the Hon^ble^ William Pitkin jun., Esq^r^, of Hartford, John Williams, Esq^r^, of Sharon, and Daniel Sherman, Esq^r^, of Woodberry in Litchfield county, be and they are hereby appointed a committee to examine and enquire into the matters alledged and complained of in said petition, and to make report of what they shall find together with their opinion thereon to the General Assembly in their present or next session.

Whereas Silas Dean and Mehitabel his wife, of Weathersfield, administrators on the estate of Joseph Webb, deceased, preferred their petition against Joseph Forbes the 3d, and others, to this Assembly in October last, on which a committee was appointed to enquire &c. and make report to this Assembly at their then or the present session, which business by reason of the absence of one of the parties concerned cannot conveniently be done at this time: Wherefore the consideration of the said petition and the matters thereof, as also the appointment and powers of the said committee, are further continued to the sessions of this Assembly in October next: the said committee in the meantime to proceed upon said business as soon as with convenience may be done.

Upon the petition of Silas Dean of Weathersfield and Mehitabel his wife, administrators on the estate of Joseph Webb late of said Weathersfield, deceased, against Timothy Dwight of Northampton, Esq^r^, and Seth Dwight of Somers, executor of the last will of Samuel Dwight late of Enfield, deceased, representing that the said Samuel and Timothy being owners, in the life time of the said Samuel, of certain iron-works

at Enfield aforesaid, in September, 1759, bargained and sold a quarter part of said iron-works and lands adjoining and appurtenances to the said Joseph Webb, and took his certain notes for the purchase money to the said Timothy Dwight for £100 0*s.* 0*d.* payable in the produce of said works, which notes are now put in suit, notwithstanding the said Samuel who was to have given to said Webb his deed of said quarter part of said premises hath neglected and refused to acknowledge and fully execute and compleat such deed, and notwithstanding, as is alledged in said petition, the said Webb in his life time turned into said works a large quantity of pig-iron to be wrought up, in order to pay said purchase monies; praying to have said notes vacated &c.. as per petition on file: Resolved by this Assembly, that Colo. John Pitkin, Mr. Alexander Wolcott and Mr. Roger Newberry be a committee, and they are hereby appointed a committee, to enquire into the said several matters alledged in said petition and all matters relating thereto, and make report of what they shall find with their opinion thereon to this Assembly at their present or next sessions.

Upon the petition of John Herpin of Milford, against Messrs. Oliver Delancey and company, and others his creditors in Newyork, representing to this Assembly that in the year 1762, the petitioner finding his affairs and circumstances in trade to be bad, proposed to his said creditors to compound his said debts to and with them by paying and delivering up to them all he had, and then to be discharged from his said debts; further representing that they consented to said proposal, and accordingly took and received of the petitioner into their own hands the whole of his effects, but have refused to give him such discharge; praying for relief in the premises, as per the petition on file: Resolved by this Assembly, that Theophilus Nickols, Samuel Adams and William Burr, Esq^rs, be and they are hereby appoined a committee, with full power to enquire into the several matters contained in said petition, and make their report of what they shall find with their opinion thereon to this Assembly at their present or next sessions.

[267] Upon the petition of Peter Treat of Glastonbury, and Ebenezer Holeman of Windsor, against John Coleman, Russel Woodbridge and Joseph Meakins of Hartford, trustees of Samuel Holman of said Hartford, an insolvent debtor, shewing to this Assembly that since the proceedings against the said Samuel upon the said insolvent act they, the petitioners, had, at the request and to oblige the said Samuel, given their joint security to the Treasurer of this Colony for the sum of £23 10*s.* 1½*d.* in lieu of so much due from the said Samuel to this

Colony, expecting to have and receive that sum out of the hands of said trustees, but that the said trustees refused to pay and allow the same as thinking by law they could not be justified in paying the same under the circumstances; praying for relief &c., as per the petition on file: Resolved by this Assembly, that the petitioners have and receive the said sum of £23 10*s*. 1½*d*., lawful money, out of the estate of the said Samuel Holman in the hands of the said trustees, and they, the said trustees, are hereby ordered and directed to pay the same accordingly, and in default thereof execution to issue therefor at the suit of the petitioners.

Upon the petition of Benjamin Gale, Esq^r^, of Killingworth, against Jeremiah Nettleton of said Killingworth, to this Assembly, complaining of error in the judgment of the superior court held at New London on the 4th Tuesday of September, 1766, in an action wherein the said Benjamin Gale was plaintiff and the said Jeremiah Nettleton was defendant, per writ dated the 29th day of May, 1766, upon a demurrer to the declaration; praying to have the said judgment reversed &c., as per the petition on file: Resolved by this Assembly, that the said judgment of the said superior court complained of is erroneous, and the same is therefore hereby reversed and set aside; and the petitioner has liberty granted him to enter his said action again for tryal at the superior court to be held at New London aforesaid on the fourth Tuesday of September next.

Whereas Edward Hallick, of New Borough in the Province of New York, brought his petition against Samuel Hall 3d of Wallingford, and David Jones, Esq^r^, of Brookhaven on Long Island, to this Assembly in October last, on which petition a committee was appointed to enquire and report of the matters in said petition contained, which committee have not been able to go through with their work: Therefore resolved, that said petition be further continued to the session of this Assembly in October next, to which time the power and authority of the said committee is likewise continued, for the purpose of finishing the business and trust committed to them.

Whereas a petition of Thomas Elmore of Windsor, against Roswel Mills of said Windsor, and Isaac Bidwell of Farmington, was preferred to this Assembly in October last, and thereon a committee being appointed to enquire into the matters contained in said petition and make report to that or the then next session of Assembly, and the said business not having as yet been attended, the said petition is further continued to the session of this Assembly in October next, and the said com-

mittee before appointed are hereby further impowered to enquire &c., and make their report to this Assembly at their present or next sessions.

Upon the petition of Adam, an Indian, one of the descendants of the Newhaven or Quinepiaug Indians, in behalf of himself and the rest of said tribe, preferred to this Assembly in October last, against Timothy Tuttle jun. and Joseph Tuttle, of said Newhaven, shewing to this Assembly that the proprietors of said town in the course of their ancient transactions had set apart and reserved for the use of the said Indians, so long as any of them should be remaining, about thirty acres of land at or near a place called South End in said Newhaven, the use of which to said Indians was and had been secured by John Morris late of said Newhaven, deceased, in and by a certain writing or covenant under hand and seal, dated April 26th, 1741, entered into by the said John Morris with the said proprietors in behalf and for the benefit of the said Indians; complaining that said John Morris had sold said lands absolutely and without any reservations in favour of said Indians, and that the same lands being by conveyance derived to the said Timothy and Joseph Tuttle they claimed the same [268] and altogether hindered and || prevented the said Indians from improving and taking any benefit by the same; praying for relief in the premises and that some suitable person might be appointed to act and manage for them, the said Indians, as their agent, and thereupon Mr. Samuel Bishop jun., of said Newhaven, was appointed their agent as aforesaid, and also a committee was at that time appointed to enquire into and report make of the matters contained in said petition; which committee have now reported, that such reservation in favour of said Indians was made as aforesaid: the said about thirty acres of land consisting of three pieces in the new Indian field, to be kept properly fenced by the said John Morris, his heirs and assigns, so as to secure the summer growth, and improveable by the said Indians by planting one of said pieces each year, *i. e.* the whole alternately once in three years; further also reporting that the said Indians, some of whom still remain, have had such use and improvement of said lands until within a few years last past they had been disturbed and hindered in their said improvement by the said Timothy and Joseph; and giving it as their opinion that the said Indians ought undisturbedly to hold and enjoy the said lands in manner aforesaid, so long as any of the said tribe remain; which report hath been accepted: Whereupon it is resolved and ordered by this Assembly, that the said Indians, all and any

of them so long as any of them or said tribe shall continue and remain, shall and may at all times use, occupie and enjoy the said about thirty acres of land for planting, according to the true intent and meaning of the said articles of covenant and agreement, without any let, hindrance or molestation from the said Timothy and Joseph Tuttle, their heirs or assigns, or any other person, and that they, the said Timothy and Joseph, their heirs and assigns, do keep said fences in proper repair as aforesaid. And further, this Assembly doth impower Samuel Bishop, Esq^r, of Newhaven aforesaid, as agent for said tribe of Indians, from time to time to inspect into their affairs, so far as respects the lands aforesaid, and to prosecute in the law any actions that may be proper and necessary for and toward the said Indians having and enjoying the said about thirty acres of land, according to the true intent and meaning of said covenants and agreements. 'Tis further ordered, that the said Mr. Bishop, in behalf of the petitioners, recover of the petitionees their costs in prosecuting their said petition, taxed at £

An Act for making and forming the Parish of Reading into a distinct Town by themselves.

Whereas this Assembly are informed that the parish of Reading in the northwesterly part of the township of Fairfield is very remote from the main body of that town, and that they are by their situation almost entirely prevented from attending the public meetings of said town, and they suffer great inconveniencies thereby, and that for them any longer to continue as a parish of said Fairfield is very inconvenient: Therefore,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That said parish of Reading be and they are hereby erected, made and constituted, within the limits and bounds of said parish, a distinct town by themselves, with all the liberties, priviledges and immunities which by law the other towns in this Colony have and do enjoy; and that said new constituted town shall hereafter be called by the name of the Town of Redding; with this limitation and restriction, that but one Representative which said new constituted town shall at any time choose to attend the General Assemblies shall be at the public expence.

And be it further enacted by the authority aforesaid, That said town of Redding shall have and hold their first town-meeting for the choice of their town-officers for the present year, sometime in the month of June next, which meeting shall be warned by a warrant signed by any justice of the

peace in the county of Fairfield, to be directed to some indifferent person to serve, which warrant shall appoint the time and place at which said meeting is to be held, and shall be served at least five days before the day appointed for the holding said meeting.

Upon the memorial of James Hazelton jun., of Haddam in Hartford county, shewing to this Assembly that on the 18th of September, 1765, he had an execution against Benja. Andrus and Tabitha Andrus, of Midletown in said county, [269] then in the hands of Mr. Stephen Blake, then || one of the constables of Midletown aforesaid, for the sum of £7 17*s.* 4*d.*, and that he then agreed with said Benjamin and Tabitha Andrus to take, as a pledge or security for said sum, a deed of eight acres of land situate in said Midletown on the west side of Connecticut River, at a place called Deerfield, being eight rods wide at each end from east to west, bounding west on said Blake's land, north on a highway, easterly and southerly on their own land, and the said deed being executed it was delivered to the town clerk of Midletown, and was to lye in his hands not to be recorded until the first of November then next, and in case they paid said sum to the memorialist the said deed was to be given back to said Benjamin and Tabitha unrecorded, and that the town clerk thro' mistake recorded the deed aforesaid before the first of November aforesaid, and the memorialist finding out said mistake he made and executed a deed of conveyance of said land to said Blake without his knowledge, and that the said Benjamin and Tabitha paid said sum in said execution, and that said Blake offered to give a deed back to said Andruss or to the memorialist, but was prevented by death, and the heirs to said Blake are all minors; praying this Assembly to impower the administrators on said Blake's estate to make and execute a deed to said Benja. and Tabitha Andrus, or to Jabez Brainerd, of said Haddam, who has purchased of said Benjamin and Tabitha Andruss said land; as per memorial on file: Resolved by this Assembly, that Seth Wetmore, Esq^r, of Midletown, one of the administrators on the estate of said Blake, be and he is hereby impowered to make and execute a deed of release of all the right and title that said Blake's heirs have in or to said eight acres to said John Brainerd, his heirs &c.

Upon the memorial of the selectmen of the town of Waterbury, representing to this Assembly that one Joseph Lewis, a distracted or impotent person, for many years past hath been uncapable to provide for himself, and that the said

selectmen have been obliged to expend towards the support and maintenance of the said Joseph the sum of £27 2*s*. 9*d*., and that said Joseph stands possessed of lands to the value of £44 5 3; praying for liberty to sell said lands, as per memorial on file appears: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby given them, to make sale of the whole of the lands of said Joseph, and thereby discharge said sum of £27 2 9, and such further sum as said lands shall be sold for be laid out for the support and maintenance of said Joseph, in case he shall live so long as to have said sum expended for his support; and if there shall be any part of such sum remaining in the hands of the memorialists at the decease of said Joseph, then the memorialists are hereby directed to pay such sum unto the legal heirs of said Joseph.

Upon the memorial of David Whitney and others, inhabitants of Canaan in the county of Litchfield, representing that the said town of Canaan has a large impassable mountain running from the southeast corner towards the northwest, until it comes near to the west extremity thereof, whereby it became necessary to build the meeting-house, designed for equal benefit of said town in their weak and infant state, near the west extremity of said town, which house is now almost decayed, and not sufficient to contain the present inhabitants; that the said inhabitants are now able to support the gospel in two distinct societies; praying that two societies may be formed and erected in said town by a line described in said memorial &c.: Resolved by this Assembly, that Colo. John Pitkin of Hartford, William Welles, Esq^{r}, of Glastonbury, and John Owen, Esq^{r}, of Symsbury, in the county of Hartford, be and they are hereby appointed a committee with full power, to repair to said Canaan and to view the circumstances and situation thereof, and to enquire into the present funds and estate of said town, and also the expediency and inexpediency of dividing by the line prayed for or otherwise, and generally of every other matter which may be necessary and conducive to the just settlement of a division of said town into two societies, and to report what they shall find, with their opinion thereon, to the Assembly at their sessions in Newhaven on the second Thursday of October next.

[270] Upon the memorial of Joseph Isham jun. and Levi Wells, selectmen of the town of Colchester, shewing to this Assembly that on the 14th of February, 1765, Elias Worthington of said Colchester was by the selectmen of said

town appointed to oversee, direct and order, one Moses Dodge of said Colchester in the management of his affairs and business, he, said Dodge, by his imprudence and mismanagement being like to waste his estate and become chargeable to said town: and also shewing that there are due from said Dodge sundry debts, *viz:* one note of hand payable to Abigail Wise for the sum of five pounds, dated December 14th, 1764, and on interest from the date thereof until paid, and also one note payable to Eliphalet Treadway, dated the 29th of October, 1764, for the sum of thirteen shillings and six pence, and on interest from the date thereof until paid, and that the said Dodge hath no personal estate to pay and satisfie said debts; praying for liberty to sell so much of the real estate of said Dodge as shall be sufficient to pay said sums of said notes and the interest thereon arising: Resolved by this Assembly, that liberty be granted, and liberty and authority is hereby given unto Israel Foot of said Colchester, to sell so much of the real estate of said Dodge as shall be sufficient to pay the sum of said two notes and the interest arisen thereon, together with the incident charges of such sale, and the money upon such sale being received he is hereby ordered and directed to pay to said Wise and Treadway the sums of said two notes and interest, and to render his account to the selectmen of said town for the disposition of all the monies received for the sale of such real estate.

Upon the memorial of Zeuban Gibbs and others, inhabitants of the south part of Litchfield in the county of Litchfield, shewing to this Assembly that the said inhabitants are grown very numerous, being about seventy families, and having by a grant from the General Assembly of this Colony for about twenty years last past had the gospel preached among them three or four months in each year, and that they are desirous of having that part of said Litchfield wherein they dwell, bounded as follows, *viz:* beginning at a double white oak tree standing in the line between Waterbury and Litchfield about four rods east of the branch of Waterbury River, thence running due north three miles, thence westerly a parallel line with Waterbury and Woodbury six miles and forty-six rods, thence south one mile and a half, thence southerly to the north east corner of Judea, thence easterly by Woodbury and Waterbury line to the first-mentioned bounds; praying that the same may be set off as a parish by themselves, and to be made a distinct ecclesiastical society, with all the privileges thereof &c., as per memorial on file: Resolved by this Assembly, that Benjamin Hall, Elihu Chauncey and

Elisha Williams, Esq^rs, be a committee to go, view and enquire into the circumstances &c. of said memorialists and parish &c., and all things relative thereto, and to make their report with their opinion thereon to the General Assembly at their sessions in October next.

Upon the memorial of Samuel Ely and others, owners and proprietors of the lands adjoining to Eight Mile River in Lyme, shewing to this Assembly that since the regulations made by the county court respecting the fishery in said river are made void, no person can fish in said river to advantage of the public without being exposed to the penalties of law provided against those who by setting seines across said river or otherwise obstruct the course of the fish up said river; praying that a committee might be appointed by this Assembly to repair to the several places on said river useful for taking fish, view the circumstances, and be impowered to make such regulations therein as they shall judge needful, or to report their opinion thereon to the General Assembly at their sessions in October next: Resolved by this Assembly, that Colo. Joseph Spencer, Daniel Brainerd, Esq^r, of East Haddam, and Eleazer Mather of Lyme, be a committee, and they are hereby impowered, at the cost of the memorialists, to view the circumstances of the places useful for fishing in said river, and report to the Assembly at their sessions in October next, with their opinion thereon.

Upon the memorial of Humphrey Avery, of Norwich in the county of New London, representing that the General Assembly of the Colony of Connecticut at their sessions at Hartford on the second Thursday of May, A.D. 1750, were graciously pleased, as an act of favour, to grant to the memorialist the sum of two thousand and one hundred pounds out [271] of the Colony treasury, in bills of credit old tenor || on the Colonies of Rhode Island and New Hampshire, for the space of two years free of any interest, to relieve the memorialist under his then distressing circumstances, occasioned by the destruction of his dwelling-house, furniture, provisions &c., by fire, and gave his obligation with sureties, payable to the Governor and Company of this Colony in two years, for the like sum in bills of credit of this Colony, and that before said bond become due and payable, *viz:* about the month of October, A.D. 1751, the memorialist had procured said sum of £2100 0*s.* 0*d.* in Rhode Island and Newhampshire bills, but found it difficult to procure said sum in Connecticut bills specified in said bond, and that althô the memorialist had previous to the day of payment provided a sufficient sum to

pay off said bond of the same bills he received, yet it was out of his power to procure said sum in Connecticut bills, until afterwards at a very great expence the memorialist procured said Connecticut bills and paid off the full sum of £2100 0*s.* 0*d.* specified in the condition of said obligation, on the 26th of November, A.D. 1754, and that since that time an action hath been commenced and now pending in law against the memorialist on said bond; and the memorialist prays to be released from any further payment on said bond, for that the full of the principal sum received he hath long since paid, and that the procuring of the exchange of said bills had cost him more than six *per cent.*; and praying this Assembly to release him from any further payment on account of said bond, except the cost arisen as aforesaid: Resolved by this Assembly, that the memorialist shall be released and acquitted and discharged, and he is therefore hereby released, acquitted and discharged from any further demand on account of said bond: he paying the cost arisen as aforesaid in said action commenced as aforesaid.

Upon the memorial of Selah Hart of the parish of Kensington, and others, inhabitants of said Kensington, representing that the meeting-house in said society of Kensington is become ruinous, unsafe, indecent, and uncomfortable to meet in in order for public worship, and that a place in said society for building a new meeting-house hath been duly ascertained, and that no vote or agreement of said society can be obtained, either for repairing said old meeting-house or for building a new one at said place, whereby the attendance of the inhabitants of said society on public worship is rendered uncomfortable, and will probably be entirely impeded without the interposition of the Assembly; praying that some effectual measures may be pursued to compel the inhabitants of said society either to repair said old meeting-house or to build a new one at the charge of said society, as by their memorial may at large appear: Resolved by this Assembly, that Joshua West, Esq^r, Colo. Samuel Talcott and Major Erastus Wolcott, be a committee to enquire into the situation and circumstances of said society &c., as prayed for in said memorial, and report their opinion in the premises to the General Assembly at their sessions in October next.

Upon the memorial of John Wilcox, of the society of Westfield in the township of Middletown, and others, inhabitants of said society, representing that a stake for building a meeting-house having been fixed by a committee of the county court, east of a place which had before been fixed on for that pur-

pose by a former committee, which last stake is far east of the center of said society, and that there is a much larger list and greater quantity of land and more inhabitants on the west side of said stake than on the east, and that some matters were misrepresented before said last committee, and that a great uneasiness subsists among said inhabitants with respect to said place affixed by said last committee: Resolved by this Assembly, that John Pitkin, Joshua West and William Hilhouse, Esq[rs], be and they are hereby appointed a committee with full power, to view said society of Westfield, and to examine the matters referred to in said memorial, and to affix a place for the building a meeting-house in said society, and to make return of their doings to the General Assembly in October next.

Upon the memorial of Eunice Harris of Weathersfield, administratrix on the estate of Abraham Harris late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, with necessaries set out to the widow of said deceased, surmount the moveable part of said estate the sum of £20 15*s.* 2¼*d.* lawful money; praying for liberty to make sale of so much of the real estate of said deceased as to raise the said sum with incident charges of said sale, as per memorial on file &c.: Resolved by this Assembly, that the said Eunice Morris [*sic.*] have liberty, and liberty is hereby granted to the said Eunice Morris, to make sale of so much of the real estate of said deceased as shall raise said sum of £20 15*s.* 2¼*d.* lawful money, with incident charges arising on said sale; taking the advice of the court of probate in the district of Hartford therein.

[272] On the memorial of Oliver Wolcott of Litchfield, administrator on the estate of Friend Grant late of said Litchfield, deceased, shewing that the account of debts due from said estate surmount the personal inventoried estate of the said deceased the sum of £262 10*s.* 10*d.* lawful money, and that said Friend dyed possessed of a considerable real estate, and thereupon praying for liberty to sell so much of the land of the said deceased as will procure the said sum of £262 10*s.* 10*d.* lawful money, together with the incident charges arising on such sale: Resolved by this Assembly, that the memorialist have liberty and he is hereby authorized and impowered, to sell so much of the land of said deceased as will procure the aforesaid sum of £262 10 10, lawful money, together with the incident charges arising on such sale; taking the directions of the court of probate in the district of Litchfield therein.

Upon the memorial of Samuel Nothway and others, repre-

senting that for a long time past and still there subsists a general uneasiness in the foot company or trainband in the parish of Northington in the town of Farmington in the county of Hartford, occasioned by a difference between Jonathan Miller, the present captain of said company, and the other officers and centinels in said company; praying for a dismission of said Capt. Miller &c.: Resolved by this Assembly, that the several matters and things in said memorial complained of be, and they are hereby, referred to the field officers of the first regiment of militia in this Colony, and that they examine, hear, and report their opinion thereon to this Assembly at Newhaven in October next.

Upon the memorial of Jonathan Edwards, Josiah Edwards and Joseph Edwards, of Midletown, shewing to this Assembly that they belong to and are situate upon the extreme borders of the first society in said Midletown and near to the society of Kensington; praying to be annexed to said society of Kensington, as by their memorial on file: Resolved by this Assembly, that the said Jonathan Edwards, Josiah Edwards and Joseph Edwards be, and they are hereby, with their estates annexed to the said society of Kensington.

Upon the memorial of Andrew Young, of Cornwall in Litchfield county, administrator on the estate of John Young late of Cornwall aforesaid, deceased, humbly shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £69 7*s*. 1¾*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as shall be sufficient to pay off and discharge said surplusage of debts: Resolved by this Assembly, that the memorialist shall have liberty and authority, to sell so much of the real estate of the said deceased as shall be sufficient to raise money enough to pay off and discharge said surplusage of said debts with the incident charges necessarily arising on said sale; taking the advice and direction of the court of probate for the district of Litchfield.

Upon the memorial of William Fancher, Titus Turner and John Humiston jun., all of Litchfield in Litchfield county, shewing to this Assembly that they are so situated that tis much more convenient for them to attend the public worship of God at the public meeting-house in the parish of Northberry in the town of Waterbury in Newhaven county than at said Litchfield; praying to be set off from said Litchfield and annexed to said parish of Northbury for that purpose: Resolved by this Assembly, that the memorialists shall be and

they are hereby set off from said Litchfield for the purpose aforesaid, and annexed to the said society of Northbury.

Upon the memorial of Benjamin Stephens and Phineas Stephens, executors of the last will and testament of Uriah Stephens late of Canaan, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate of said deceased the sum of £147 4 6, lawful money; praying for leave and authority to sell so much of the real estate of said deceased as to enable them by the avails thereof to pay off and discharge said surplus of said debts: Resolved by this Assembly, that the memorialists shall have liberty, and they are hereby authorized, to make sale of so much of the real estate of said deceased as shall be sufficient by the avails thereof to pay off and satisfie said surplusage of debts with the incident charges of sale; taking the advice and direction of the court of probate for Sharon district in the premises.

[273] Upon the memorial of Daniel Phelps and others, of Windsor, against the inhabitants of said town, representing that the bridge built some years since over the rivulet, so called, or little river in said town, was and hath been lately great part thereof carried away and destroyed by the floods, and notwithstanding there is great need of said bridge being rebuilt, yet that said town had refused to build the same; praying to have said town ordered to build the same &c., as by the memorial on file: Resolved by this Assembly, that the said town of Windsor do build, and they are hereby ordered and directed forthwith in convenient time, to erect and build a good and sufficient cart bridge across the rivulet, at or near the place where the same formerly stood, and that they keep up and maintain the same for the future at the proper cost and charge of said town.

Upon the memorial of the proprietors of the township of Colebrook, praying this Assembly would establish a highway lately surveyed and laid out by Erastus Wolcott, James Rockwell and Josiah Phelps, a committee of said proprietors appointed A. D. 1762, from the government's highway running through said Colebrook to the town called Number 3, to accommodate the public travel from Hartford to said place &c., called Number 3 road, as per memorial on file, said survey being exhibited and laid before this Assembly: It is resolved by this Assembly, that said highway as the same is surveyed and laid out by the committee aforesaid be, and it is hereby, approved and accepted, and made a public highway; and said survey is ordered to be entered on the public records of the said Cole-

brook, and that shall ascertain and confirm said highway to be a public way, under the same regulation of law that other public highways in this Colony are.

Upon the memorial of the inhabitants of the society of Kensington, setting forth many difficulties they labour under with regard to the placing their meeting-house &c.; praying to be divided into two distinct societies by a north and south line, as by the memorial on file: Resolved by this Assembly, that there be a committee, and Samuel Talcott, Joshua West, Esq^rs, and Major Erastus Wolcott, are hereby appointed a committee with full power, to repair to the said parish of Kensington, enquire into, view and consider the situation and circumstances of the said society, and report to this Assembly in October next their opinion what may be proper and best to be done.

Upon the memorial of Nathaniel Farnam of Windham, administrator on the estate of Solomon Farnam of said Windham, late deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of said deceased the sum of £14 0*s*. 10*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as will procure said sum of £14 0*s*. 10*d*. lawful money, with incident charges arising thereon: Resolved by this Assembly, that the said Nathaniel Farnam have liberty, and liberty and authority is hereby given to said administrator, to sell and dispose of so much of the real estate of said deceased as to amount to the sum of £14 0*s*. 10*d*. lawful money, with incident charges arising on such sale; taking the directions of the court of probate for the district of Windham therein.

Upon the memorial of Sarah Lyman, of Torrington in Litchfield county, administratrix on the estate of Sibel Lyman late of said Torrington, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of £50 12*s*. 6*d*. lawful money; praying for liberty to sell a sufficiency of the real estate of said deceased to discharge said surplusage of debts: Resolved by this Assembly, that the memorialist be impowered and authorized to make sale of so much of the real estate of the said deceased as shall be sufficient to raise said sum of £50 12*s*. 6*d*. lawful money, with the incident charges arising on said sale; taking the advice and direction of the court of probate for the district of Litchfield.

Upon the memorial of Josiah Olcott, Timothy Cheeney and others, dwellers, householders and inhabitants of that part of Hartford called the Five Miles, on the east side of Con-

necticut River, shewing to this Assembly that they, by their situation, are at such distance from the place of public worship in the society to which they belong that they cannot conveniently attend; praying that they and those within certain limits, in said memorial mentioned, might be made an ecclesiastical society &c.: Resolved by this Assembly, that Shubael Conant of Mansfield, John Chester of Weathersfield, and Zebulon West of Tolland, Esq^{rs}, be a committee, and they are hereby appointed a committee, to repair to said east society of Hartford, view the circumstances thereof with the circumstances and situation of the memorialists, and make report of what they shall find with their opinion thereon to this Assembly to be holden in October next.

[274] Upon the memorial of Malachia Corning and Nathan Corning, administrators on the estate of Malachi Corning late of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of the said Malachi Corning, deceased, with necessary moveables set out by the court of probate to the widow of said deceased, surmount the moveable estate of said deceased the sum of eighty-four pounds twelve shillings and three pence, lawful money, and praying for liberty to make sale of so much of the real estate of said deceased as will raise said sum with the incident charges of sale: Resolved by this Assembly, that Mr. Lemuel White of said Hartford, in behalf of the memorialists, be impowered, and he is hereby impowered, to make sale of so much of the real estate of the said Malachi Corning, deceased, as will procure the said sum of £84 12*s*. 3*d*. lawful money, together with the incident charges of such sale; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Joseph Curtiss, of Stratford in Fairfield county, conservator over John Johnson of said Stratford, a person *non compos mentis*, representing to this Assembly that he hath expended towards the support of said Johnson the sum of £32 16 11, lawful money, the same being allowed by the county court within and for the county of Fairfield; praying that so much of the real estate of said Johnson may be sold as will be sufficient to pay and satisfie said sum with the incident charges arising thereon &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to him, to sell so much of the real estate of said Johnson as shall be sufficient to pay and satisfie said sum of £32 16 11, lawful money, with the incident charges arising thereon.

Upon the memorial of Mathew Hubbel and Margaret Hecock, administrators on the estate of Samuel Hecock late of Woodbury in Litchfield county, deceased, shewing to this Assembly that the debts, charges and allowances against said estate surmount the moveable part of said estate the sum of £92 10*s*. 3*d*., and praying for liberty to make sale of so much of the real estate of the said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the said Mathew Hubbel have liberty, and he is hereby impowered, to make sale of so much of the real estate of the said deceased as to make said sum of £92 10*s*. 3*d*. lawful money, with the incident charges arising on said sale; taking the direction of the court of probate for the district of Woodbury.

Upon the memorial of Solomon Martin and Phebe Fairchild, administrators on the estate of Daniel Fairchild late of Woodbury in Litchfield county, deceased, shewing to this Assembly that the debts, charges and allowances against said estate surmount the moveable part of said estate the sum of £17 17*s*. 7*d*. lawful money, and praying for liberty to make sale of so much of the real estate of said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the said administrators have liberty and they are hereby impowered, to make sale of so much of the real estate of the said deceased as to make said sum of £17 17 7, lawful money, with incident charges arising on said sale; taking the direction of the court of probate for the district of Woodbury therein.

On the memorial of Josiah Brinsmead, administrator on the estate of Joanna Leavit late of Fairfield, deceased, shewing to this Assembly that the debts exhibited against the estate of said deceased to the court of probate for the district of Fairfield and allowed by said court surmount the inventoried moveable estate with the credits of said deceased the sum of £23 18*s*. 5*d*. lawful money: praying liberty to sell so much of the real estate of said deceased as will be sufficient to pay and satisfie said sum of £23 18*s*. 5*d*. lawful money, with the incident charges that may arise on such sale: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much of the real estate of said deceased as will be sufficient to pay and satisfie the aforesaid sum of £23 18 5, lawful money, together with the incident charges that may arise on such sale; taking the direction of the court of probate in the district of Fairfield therein.

Upon the memorial of William Clark, administrator on the estate of Ambrose Clark late of Midletown, deceased, shewing to this Assembly that since he had liberty to sell lands to pay the debts of the said deceased, other debts have appeared to the amount of £8 18*s.* 5*d.* lawful money, and thereupon praying for liberty to sell more lands &c.: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much more of the lands of the said deceased as will procure the aforesaid sum of £8 18 5, together with incident charges arising on such sale; taking the directions of the court of probate in the district of Midletown therein.

[275] On the memorial of James Hill, administrator on the estate of Elnathan Parrack late of Fairfield, deceased, shewing to this Assembly that the debts exhibited against the estate of said deceased to the court of probate for the district of Fairfield and allowed by said court, with an allowance of necessaries made to the widow of said deceased, surmount the inventoried moveable estate with the credits of said deceased the sum of £55 8*s.* 7*d.* lawful money; praying for liberty to sell so much of the real estate of said deceased as will be sufficient to pay and satisfie said sum of £55 8*s.* 7*d.* lawful money, with the incident charges that may arise on such sale: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much of the real estate of said deceased as will be sufficient to pay and satisfie the aforesaid sum of £55 8 7, lawful money, together with the incident charges that may arise on such sale; taking the directions of the court of probate in the district of Fairfield therein.

On the memorial of Abraham Brooks of Haddam, administrator on the estate of David Smith late of Haddam, deceased, shewing to this Assembly that since he had liberty to sell land to pay the debts of said deceased, other debts have appeared to the amount of £16 5*s.* 8¾*d.* lawful money, and thereupon praying for liberty to sell more lands: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much more of the lands of said deceased as will procure the aforesaid sum of £16 5*s.* 8¾*d.* together with the incident charges arising on such sale; taking the directions of the court of probate in the district of Midletown therein.

On the memorial of James Bacon, administrator on the estate of Nathan Bacon late of Midletown in the county of Hartford, deceased, shewing to this Assembly that the debts

and charges due from said deceased, together with some allowance made to the widow of said deceased for necessaries as the law directs, surmount the moveable part of the estate of said deceased the sum of £21 9 3, lawful money; thereupon praying for liberty to sell lands, as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and he is hereby fully authorized and impowered, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £21 9*s*. 3*d*. lawful money, together with the incident charges arising on such sale; taking the direction of the court of probate in the district of Midletown therein.

Upon the memorial of Amos Richardson jun., of Coventry in Windham county, shewing that he was collector of the country rates in said town of Coventry for the year 1763; that it was his unhappy lot on the 24th of April, 1766, to have his dwelling-house take fire while he and his wife were absent from home, and was consumed to ashes with considerable part of his provisions, cloathing and household furniture, together with his barn &c.; that his rate-bill (in which were many rates unpaid and many more in part paid,) all burnt up by the said fire, whereby he has lost his evidence of what was due on said rate-bill, and has suffered great loss; that he had then in his house towards twenty pounds of the country money that was collected and not paid into the treasury, of which the memorialist lost about ten pounds melted or otherwise buried in the ashes or under the ruins of the house and wholly lost to the memorialist; praying for some abatement, and make some allowance for the money so lost in his hands, as per memorial on file &c.: Resolved by this Assembly, that the Treasurer of this Colony be and he is hereby ordered and directed to allow and discount in favour of the memorialist the sum of twelve pounds on the rate of which he was collector as aforesaid.

Upon the memorial of David Strong, administrator on the estate of Timothy Hutchinson late of Lebanon in the district of Windham, deceased, representing that the debts due from and the charges against the estate of said deceased surmount the moveable inventoried estate of said deceased in the sum of £45 19*s*. 11*d*. lawful money; praying for liberty and power to sell so much of his real estate as will be sufficient to raise said sum for the purpose of paying said debts with the incident charges of sale, as per memorial on file; which appearing by the certificate of the clerk of the court within said district: Resolved by this Assembly, that the memorialist have

liberty, and he is hereby appointed and impowered, to make sale of so much of the real estate of said deceased as will be sufficient to raise said sum of £45 19*s.* 11*d.* lawful money, with the incident charges thereof; taking the direction of the court of probate for the district aforesaid therein.

Upon the memorial of Daniel Pratt, administrator on the estate of Edward Pratt late of Saybrook, deceased, shewing to this Assembly that the debts and charges against the estate of [276] said deceased, ‖ with some allowance made the widow of said deceased, surmount the inventoried moveable estate of said deceased the sum of £52 0*s.* 0*d.* lawful money; praying that some suitable person might be appointed to make sale of so much of the real estate of said deceased as will raise said sum of £52 0*s.* 0*d.* lawful money, with incident charges of sale: Resolved by this Assembly, that liberty be granted unto David Pratt of said Saybrook, and he is hereby impowered, to make sale of so much of the real estate of said deceased as will be sufficient to raise the sum of £52 0*s.* 0*d.* lawful money, with the incident charges arising on such sale; taking the direction of the court of probate for the district of Guilford therein.

On the memorial of Ebenezer Arnold of Midletown, shewing to this Assembly that he hath had destroyed by mice one bill of thirty shillings emitted A. D. 1761, one bill of ten shillings emitted A. D. 1762, and one 12*d.* bill emitted A. D. 1764, all bills of this Colony, and thereupon praying that the Treasurer of this Colony be ordered to pay and deliver to the memorialist an equivalent in money for said bills, as per memorial on file: Resolved by this Assembly, that the Treasurer receive of the memorialist the remaining pieces of said bills and in lieu thereof deliver to the memorialist or his order the value thereof in money.

On the memorial of Comfort Coleman, executrix to the last will and testament of Nath[l] Coleman, late of Weathersfield in the district of Hartford, deceased, praying for liberty to sell real estate of the said deceased to the amount of £102 4*s.* 1*d.* for the payment of the debts from said estate, as per memorial on file: Resolved by this Assembly, that said Comfort Coleman have liberty, and liberty is hereby granted to said Comfort, to sell so much of the real estate of the said deceased as will raise the sum of £102 4*s.* 1*d.* for the payment of said debts with incident charges of sale; to be sold by the direction of the court of probate in Hartford district aforesaid.

Upon the memorial of Phineas Barnes, of Farmington in the county of Hartford, and of Josiah Robinson and Ruth Robin-

son, both of Wallingford in the county of Newhaven, administrators of the estate of Josiah Robinson late of said Wallingford, deceased, representing that said deceased in his life time became bound for the proper debt of the said Barnes to Theophilact Bache of New York, in the sum of £100 0*s*. 0*d*. New currency, and for his indemnity therefor the said Barnes conveyed to him a certain piece of land, situate in said Farmington, with a house and barn standing thereon, containing about forty acres; praying that some person might be appointed to convey the same: Resolved by this Assembly, that the said Josiah Robinson and Ruth Robinson, administrators as abovesaid, be and they are hereby appointed and impowered, to make full and ample releases of all the right of said deceased in and to the abovementioned piece of land unto any person who shall purchase the same, which shall be effectual in law.

Upon the memorial of Benjamin Hart, of Guilford in the county of Newhaven, conservator of the person and estate of Lydia Bishop of said Guilford, shewing to this Assembly that the account of the charge of keeping said Lydia till the 3d day of April last, and some other charge allowed in the county court in the said county of Newhaven, surmount the account of the rent of said estate the year past and a credit allowed in said court the sum of £12 19*s*. 2*d*., and that the said Lydia hath no moveable estate to pay said debts, and praying for liberty to sell so much of the real estate as may be sufficient to pay said sum &c.: Resolved by this Assembly, that the memorialist have liberty, and he is hereby fully authorized, to make sale of so much of the real estate of the said Lydia as may be sufficient to pay said sum of £12 19*s*. 2*d*. with incident charges arising on such sale.

On the memorial of Amasa Moss, administrator on the estate of David Moss late of Wallingford, deceased, shewing that the debts due from the estate of said deceased surmount the whole moveable estate of said deceased the sum of £89 6 10, lawful money, with some allowance made to the widow, and praying for liberty to sell so much of the real estate of said deceased as to enable him to pay said sum with incident charges arising on the sale of said lands, as per memorial on file: Resolved by this Assembly, that said administrator have liberty, and liberty is hereby granted to him, to make sale of so much of the real estate of said deceased as to enable him to pay said sum of £89 6*s*. 10*d*. lawful money, with the incident charges arising on the sale of said lands; taking the direction of the court of probate in the district of Newhaven therein.

Upon the memorial of Rebeccah Roberts, administratrix upon

the estate of Nathaniel Roberts late of Sharon in the county of Litchfield, deceased, shewing to this Assembly that the [277] debts due from || the estate of said deceased, with an allowance made to his widow, surmount the personal estate the sum of £19 11*s*. 2¼*d*. lawful money, and praying that liberty may be granted and Mr. Joseph Lord of said Sharon appointed and impowered, to sell so much of the real estate of said deceased as to procure said sum &c., as per memorial on file &c.: Resolved by this Assembly, that liberty be granted, and Mr. Joseph Lord of said Sharon is hereby appointed and impowered, to sell so much of the real estate of the said Nathaniel Roberts, deceased, as to procure the sum of £19 11*s*. 2*d*. 1*q*. lawful money, with the incident charges arising thereon; taking the direction of the court of probate in the district of Sharon therein.

On the memorial of Joseph Peck, conservator of the person and estate of Ebenezer Peck of Newhaven in Newhaven county, shewing to this Assembly that there is allowed to him, the said conservator, by the county court for said county, for the charge of keeping said Ebenezer since April, 1765, to April, 1767, over and above the incomes of his estate, £23 13 7, lawful money, and that he has nothing in his hands except real estate for satisfying said debts, and praying for liberty to sell so much of the real estate of the said Ebenezer as to raise said sum &c.: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the said real estate as to raise said sum of £23 13*s*. 7*d*. lawful money, together with the incident charges of sale.

Upon the memorial of Abraham Turner and Sebe Williams, administrators of the estate of John Williams late of Killingworth, deceased, shewing to this Assembly that the debts and charges exhibited and allowed in the court of probate for the district of Guilford, with some allowance to the widow, surmount the inventoried moveable estate of said deceased the sum of £19 14 2, lawful money, and praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum &c., as per memorial on file: Resolved by this Assembly, that the said Abraham Turner have liberty, and he is hereby fully impowered, to make sale of so much of the real estate of the said deceased as may be sufficient to raise said sum of £19 14*s*. 2*d*. lawful money, with the incident charges arising on such sale; taking the direction of the court of probate in the district of Guilford therein.

Upon the memorial of Abner Curtiss, of Farmington in the county of Hartford, and Josiah Robinson and Ruth Robinson,

both of Wallingford in the county of Newhaven, administrators on the estate of Josiah Robinson late of said Wallingford, deceased, representing that said deceased in his life time became bound unto Theophilact Bache of New York for the sum of £240 0*s*. 0*d*. New York money, for the debt of said Curtiss, and for his security and indemnity therein the said Curtiss granted and conveyed to him a certain piece of land situate in said Farmington, [in] quantity about one hundred and fifty acres; praying some person might be impowered to make sale of the same &c., as by the memorial at large may appear: Resolved by this Assembly, that the said Josiah Robinson and Ruth Robinson, administrators as abovesaid, be and they hereby are appointed and impowered to make full and ample releases of all the right of said Josiah, deceased, in and to the above-described piece of land, which shall be effectual in law unto any person who shall purchase the same.

Upon the memorial of John Hempstead of New London, collector of the country rate, shewing to this Assembly that on the 20th of May, 1765, at said Newlondon, being collector as aforesaid, he unfortunately lost his pocket-book containing in it a sum of proclamation money bills of this Colony, with sundry other papers, and that said pocket-book with its contents aforesaid was afterwards taken up and secreted by a negro woman slave for life, by whom the bills aforesaid to the amount of £9 10*s*. 4*d*. were burnt and destroyed, by which the memorialist inevitably lost said sum; praying this Assembly that the same may be paid, discounted or allowed to him out of the Colony treasury, as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay, discount or allow the memorialist said sum of £9 10*s*. 4*d*. lawful money, in the settlement of his, the memorialist's, accounts of his collection of rates as aforesaid.

Upon the memorial of Joseph Atwell, administrator on the estate of Nathaniel Case late of Windsor, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased surmount the moveable estate of the deceased the sum of £67 18*s*. 10¾*d*. lawful money, [278] for the payment of which || the memorialist hath no moveable estate to pay the same, and therefore praying this Assembly to grant him liberty to sell so much of the real estate of the deceased as will be sufficient to raise the sum of sixty-seven pounds eighteen shillings and ten pence three farthings, lawful money: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby

granted to the memorialist, to sell so much of the real estate of the deceased as will raise the sum of £67 1*s*. 10¾*d*. with the incident charges arising on the sale thereof; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Eunice Gardner of Hartford, administratrix on the estate of William Gardner late of said Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of the said William Gardner, deceased, surmount the moveable estate of said deceased the sum of £249 7*s*. 9¼*d*. lawful money; that said deceased dyed possessed of no other real estate than a certain messuage lying in said Hartford, containing about half an acre of land with a mansion-house and barn &c. thereon; that notwithstanding the same is of more value than the aforesaid sum, yet it cannot be aparted without great loss to said estate; and that it would be very much to the advantage of the heir to said estate, to have the whole of said messuage disposed of and to have the surplus of the avails thereof, after the debts and charges are paid, secured upon interest until the heir arrive to age; and praying for liberty to sell the whole of said messuage for the purpose aforesaid upon her, the said administratrix, giving good and sufficient security for what said messuage shall sell for more than to raise the aforesaid sum and incident charges of sale, to the judge of probate for the district of Hartford, for the use and benefit of the heir to said estate: Resolved by this Assembly, that the said Eunice Gardner have liberty to make sale of the whole of said messuage, and she is hereby impowered to sell and dispose of the same for the most it will procure, for the raising the aforesaid sum of £249 7*s*. 9¼*d*. lawful money, together with incident charges of such sale, upon her having first given bond with surety sufficient to the judge of probate for the district of Hartford for to secure for the use and benefit of the heir what said messuage shall produce more than to raise the sum of £249 7*s*. 9¼*d*. lawful money, and charges of sale, together with the lawful interest that shall arise thereon from the time of sale until the heir of said estate arrive to age.

Upon the memorial of Hezekiah Humphrey, administrator on the estate of James Bunce late of Symsbury in the county of Hartford, deceased, shewing to this Assembly that the debts and charges due from said estate surmount the moveable estate of the deceased the sum of £7 14*s*. 8*d*. lawful money, and that he hath no moveable estate to satisfie the same, and praying to this Assembly for liberty to sell so much of the

real estate of the deceased as will raise the sum of £7 14 8, lawful money: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted him, to sell so much of the real estate of the deceased as will be sufficient to raise the sum of £7 14 8, lawful money, with the incident charges arising on said sale; taking the directions of the court of probate for the district of Hartford therein.

Upon the memorial of Josiah Converse, administrator on the estate of Ezekiel Simons late of Stafford in the district of Stafford, deceased, shewing to this Assembly that the debts, charges and allowance, allowed by the court of probate for the district of Stafford, surmount the personal inventoried estate of said deceased the sum of £12 9*s*. 0*d*. lawful money, as per the certificate from the clerk of the court of probate for the district of Stafford on file will appear, and praying for liberty to sell so much of the real estate of said deceased as to raise the sum of £12 9*s*. 0*d*. lawful money, with incident charges of sale, as per memorial on file: And this Assembly gives liberty, and liberty and authority is hereby given to the memorialist, to sell so much of the real estate of said deceased as to raise the sum of £12 9*s*. 0*d*. lawful money, with incident charges of sale; taking the advice of the court of probate for the district of Stafford therein.

Upon the memorial of Abel Merrel and others, shewing to this Assembly that the great bridge across the river at a place called Sufferage within the town of Symsbury is decayed and needs to be repaired for the accommodation of travelling and for the general public convenience; that said town of Symsbury do refuse to make, maintain and repair said bridge &c., as per memorial &c.: Resolved by this Assembly, that the said bridge at the place aforesaid shall for the future be built, maintained and sufficiently repaired, from time to time as occasion shall require, at the cost and expence of the said town of Symsbury, in such way and manner as other towns by law are obliged to do.

[279] Upon the memorial of Theophilus Morgan of Killingworth, shewing to this Assembly that his father, Capt. Theophilus Morgan late of Killingworth, deceased, on the 22d day of October, 1766, executed a deed to said memorialist of sundry parcels of land in said Killingworth, as part of his share in his father's estate, and that before said deed was acknowledged before proper authority by the grantor, he was suddenly removed by death: praying that said deed with the depositions of the witnesses annexed thereto might be duly recorded &c., and said deed qualified to be a legal evidence

&c., as per memorial on file: Resolved by this Assembly, that said memorialist have liberty, and liberty is hereby granted to him, to cause his said deed with the depositions thereto annexed, to be duly recorded in the town records of said Killingworth, and that the said deed when recorded shall be admitted as legal evidence, to all intents and purposes, as though the same had been acknowledged by the grantor while in life; and the town-clerk of said Killingworth is hereby ordered and directed to enter the same accordingly.

Upon the memorial of Daniel Blogget of Stafford, conservator of the person and estate of John Huxley of said Stafford, shewing to this Assembly that for sundry disbursements laid out and advanced for the said Huxley's necessary support and the preservation of his estate, since liberty was obtained from this Assembly for selling lands, amounts to £25 5*s*. 10¼*d*. as by the certificates from the clerk of the county court on file appears, and praying for liberty to sell so much more of the real estate of the said Huxley as to raise the sum of £25 5*s*. 10¼*d*. lawful money, as per memorial on file: Whereupon this Assembly grants liberty, and liberty and authority is hereby given to said memorialist, to sell so much of the real estate of the said Huxley as to raise the aforesaid sum with incident charges.

Upon the memorial of Phebe Kirtland, administratrix on the estate of Reynold Kirtland late of East Hadam, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, with some small allowance to the widow of said deceased, surmount the personal estate of the said deceased the sum of fourteen pounds ten shillings and nine pence, lawful money, and praying for liberty to sell so much of the real estate of said deceased as should be sufficient to raise the said sum of £14 10*s*. 9*d*. lawful money, with the incident charges &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to the memorialist, to sell so much of the real estate of the said deceased as should be sufficient to raise the said sum of £14 10*s*. 9*d*. lawful money, with the incident charges arising thereon; taking the direction of the court of probate for the district of East Hadam therein.

Upon the memorial of Sarah Booth, of Stratford in Fairfield county, administratrix on the estate of Josiah Booth late of said Stratford, deceased, shewing to this Assembly that the debts due from said estate, with the allowance of necessaries to the widow, surmount the inventoried moveable

estate of the deceased the sum of £33 0*s.* 4½*d.*; praying for liberty to sell so much of the real estate of the said deceased as will answer said sum and incident charges: Resolved by this Assembly, that so much of the real estate of the said deceased Josiah Booth as will satisfie the sum of £33 0*s.* 4½*d.* with the incident charges of such sale be sold, and that Robert Walker, Esq^r, have power, and power and authority is hereby given to said Walker, to sell such real estate and make deeds accordingly; taking the advice of the court of probate for the district of Fairfield therein.

Upon the memorial of Obadiah Johnson and Lydia Johnson, executors to the last will and testament of Capt. Obadiah Johnson of Canterbury, late deceased, shewing to this Assembly that the only provision made by said deceased in and by said will was his moveable estate and certain lands, which said executors were thereby enabled to sell and dispose of, for the paying of the debts and charges due on said estate, and that the debts and charges due on said estate surmount the moveable estate of said deceased together with said lands and real estate ordered to be sold as aforesaid, the sum of £1176 13*s.* 7*d.* lawful money; praying for liberty and authority to sell and dispose of so much of the real estate of said deceased as to amount to said sum together with the incident charges arising on such sale: It is therefore resolved by this Assembly, that the memorialists have liberty and authority to sell and dispose of so much of the real estate of said deceased as to amount to the sum of £1176 13*s.* 7*d.* lawful money, together with the incident charges arising thereon; taking the directions of the court of probate for the district of Plainfield therein.

Upon the memorial of Solomon Gilman and others, inhabitants of the towns of Hartford, Windsor and Bolton, shewing to this Assembly that there is great need of a bridge to [280] be erected || and built across the river Hoccanum in said Hartford, upon the public road which leads from Windsor through the northeast part of Hartford to Bolton, for the convenience and accommodation of travellers, and praying this Assembly to order and decree that the town of Hartford should erect, build and maintain a bridge across said river in the place aforesaid: Resolved by this Assembly, that there shall be a good and sufficient bridge built across said river of Hoccanum at the place prayed for, convenient for all his Majesty's subjects to pass and repass across said river with carts and carriages &c., at the expence of the said town of Hartford; and that William Pitkin jun., Esq^r, Capt. Josiah

Olcott and Mr. Solomon Gilman, all of said Hartford, be a committee for the purpose aforesaid; and that the said bridge shall hereafter be repaired, and kept and maintained, by said town in the same manner as other public bridges in said town are maintained and repaired.

On the memorial of Amy Pratt, administratrix on the estate of Esther Pratt late of Hartford, deceased, praying for liberty to sell real estate for the payment of the debts due from the estate of said deceased, which surmount the inventoried moveable part thereof the sum of £61 15*s.* 6*d.* lawful money, with incident charges of sale &c.: Resolved by this Assembly, that the memorialist shall have liberty, and it is hereby granted that the memorialist aforesaid have liberty, to sell of the real estate of the said deceased to the amount of £61 15 6, lawful money, for the payment of the debts due from the estate of the said deceased, with incident charges of sale; taking the directions of the court of probates in the district of Hartford in the sale thereof.

Upon the memorial of Isaac Pinney and Francis Barnard, administrators on the estate of Philander Pinney late of Windsor in the district of Hartford, deceased, shewing to this Assembly that the debts and charges due from the estate of Philander Pinney late of Windsor, deceased, surmount the moveable estate of said deceased the sum of £90 18*s.* 2*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as will raise said sum of £90 18*s.* 2*d.* with the incident charges arising on such sale: Resolved by this Assembly, that the memorialists have liberty, and liberty and authority is hereby given, to sell so much of the real estate of said deceased as will raise said sum of £90 18*s.* 2*d.* with the incident charges arising on such sale; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Mary Smith of Wallingford, administratrix of the goods and estate of John Smith late of said Wallingford, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Newhaven against the estate of said deceased surmount the whole moveable estate of the said deceased the sum of £41 13*s.* 6*d.* lawful money, and that said deceased dyed seized of lands and real estate sufficient to discharge said sum, and praying for liberty to sell so much of said real estate as to answer said sum with incident charges &c., as per memorial on file: Resolved by this Assembly, that the memorialist have liberty, and she is hereby fully

impowered, to sell so much of the real estate of said deceased as may be sufficient to discharge said sum of £14 13 6, lawful money, with the incident charges arising on such sale; taking the direction of the court of probate for the district of New Haven therein.

Upon the memorial of Job Norton, administrator on the estate of Solomon Forbes late of Hartford, deceased, shewing that the debts due from the said estate surmount the moveable estate of said deceased the sum of nineteen pounds one shilling and two pence, lawful money; praying for liberty to sell real estate for the payment thereof: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the real estate of said deceased as will be sufficient to pay said sum of £19 1*s.* 2*d.* with the incident charges of sale; taking the direction of the court of probate for the district of Hartford therein.

On the petition of Jehiel Grant and Abigail Grant his wife, both of Litchfield in the county of Litchfield, *vs.* Oliver Wolcott of Litchfield aforesaid, Esq^r, administrator on the estate of Friend Grant late of said Litchfield, deceased, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 5*s.* 10*d.* *Ex. granted June* 5, 1767.

On the petition of Amos Babcock, of Ashford in the county of Windham, *vs.* Timothy Eastman, of Ashford aforesaid, as on file: The question was put, whether the pleas offered on the part of the respondent in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £1 14 4, *lawful money.* *Ex. granted June 5th,* 1767.

[281] The Sums-total of the Additions (single and fourfold) to the Lists of the several Towns in this Colony sent in to this Assembly are as follow, viz:

	Single.	Fourfold.		Single.	Fourfold.
Weathersfield,	£138 19 0	£114 8 0	Fairfield,	£854 4 6	£470 6 0
Windsor,	689 10 6	382 0 0	Stratford,	1916 9 8	114 6 0
Middletown,	977 12 0	444 10 0	Norwalk,	346 12 6	664 8 0
Farmington,	186 0 0	538 16 0	Stamford,	78 11 6	171 8 0
Symsbury,	994 17 0		Greenwich,	3518 3 9	
Hadam,	480 1 0	24 0 0	Newtown,	707 8 0	
East Hadam,	1210 3 6	15 10 0	Ridgfield,	319 0 6	79 4 0
Colchester,	968 1 0		New Fairfield,	273 0 0	442 12 0
Hebron,	293 0 0		Windham,	651 2 6	8 0 0
Glastonbury,	764 16 11		Lebanon,	301 10 0	309 17 4
Bolton,	612 2 0		Plainfield,	1394 6 6	
Stafford,	488 9 0		Canterbury,	209 8 6	
Enfield,	243 10 0		Mansfield,	303 7 9	314 15 0
Sommers,	713 12 0		Coventry,	220 2 0	
Wellington,	192 15 0	141 10 0	Pomfrett,	622 9 0	
New Haven,	3177 19 3	1720 0 0	Killingly,	84 0 0	
Milford,	221 0 0		Voluntown,	481 0 0	
Guilford,	33 0 0	358 4 6	Woodstock,	1246 10 0	
Branford,	169 17 6		Woodbury,	670 4 3	
Wallingford	717 12 6	638 2 0	New Milford,	302 4 2	18 16 0

	Single.	Fourfold.		Single.	Fourfold.
Derby,	£853 7 2		Harwinton,	£238 4 0	
Waterbury,	1441 13 0		Canaan,	129 18 0	
Durham,		£`9 16 5	Salisbury,	1246 1 0	
Norwich,	927 6 9	1090 0 0	Kent,	219 1 4	
Saybrook,	1406 18 2		Sharon,	235 18 0	£705 0 0
Stonington,	220 5 0		Cornwall,	266 0 0	
Groton,	3301 14 6	404 2 0	Goshen,	350 18 0	
Preston,	422 15 6	225 0 0	Torrington,	54 0 0	
			Newtown,	707 8 0	

[282] On the petition of Ebenezer Benton, of Hartford in the county of Hartford, *vs.* Daniel Phelps, of Windsor in said county of Hartford, as on file: The question was put, whether the superior court erred and mistook the law in directing the evidence or deposition mentioned and complained of in the petition to be admitted and committed to the jury &c.: Resolved by this Assembly in the negative.

On the petition of James Bicknal, of Mansfield in the county of Windham, *vs.* William Johnson 2d, of Wellington in the county of Hartford, and Ebenezer Heath of said Wellington, overseer to said William, as on file: The question was put, whether the superior court, in proceeding to and rendering the judgment complained of in the petition, erred and mistook the law: Resolved by this Assembly in the negative. *Cost allowed respondents is* £1 9*s.* 2*d.* *Ex. granted June* 5*th*, 1767.

On the petition of Thomas Tyler, of Boston in the county of Suffolk in the Province of the Massachusets Bay, *vs.* Benjamin Ackley, of East Hadam in the county of Hartford, and Joshua Chandler, of Newhaven in the county of Newhaven, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is* £2 16 6. *Ex. granted June* 4*th*, 1767.

On the petition of Elijah Clapp, of Hartford in the county of Hartford, *vs.* John Walker of said Hartford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 8*s.* 6*d.* *Ex. granted June* 9*th*, 1767.

Cost allowed to Gurdon Saltonstall, of New London in the county of New London, Esq^r^, judge of probate for the district of New London, for his attendance &c. to answer the petition of Jonathan Mack, of Lyme in the said county of New London, preferred against him at this Assembly and withdrawn by Mr. Parsons, attorney to said Mack, is £1 10 8, lawful money. *Ex. granted June* 1*st*, 1767.

Cost allowed to Dudley Woodbridge, of Groton in the county of Newlondon, for his attendance &c. to answer the petition of Joshua Hempstead, of Stonington in said county of

New London, preferred against him to this Assembly and withdrawn by Mr. Sam[l] Holden Parsons, attorney to said Hempstead, is £1 13 10, L. money. *Ex. granted June 5th*, 1767.

This Assembly grants to his Honour the Governor the sum of one hundred and fifty pounds, lawful money, for the first half of his salary the current year.

This Assembly grants to his Honour the Deputy Governor the sum of fifty pounds, lawful money, for the first half of his salary the current year.

This Assembly grants to George Wyllys, Esq[r], Secretary of this Colony, the sum of twenty pounds, for his salary the year past.

This Assembly grants to Joseph Talcott, Esq[r], Treasurer of this Colony, the sum of one and sixty pounds, for his salary the year past.

On the petition of Ebenezer Tiffany, of Lyme in the county of New London, *vs.* William Brown, of Salem in the county of Essex and Province of the Massachusets Bay, as on file: The question was put, whether the prayer of this petition should be granted: Resolved by this Assembly in the negative.

This Assembly was adjourned (by usual proclamation) until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Teste GEORGE WYLLYS, Secret'y.

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[284] *Anno Regni Regis Georgii tertii octavo.*

AT A GENERAL ASSEMBLY OF THE GOVERNOR AND COMPANY OF HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA HOLDEN AT NEW HAVEN IN SAID COLONY ON THE SECOND THURSDAY OF OCTOBER, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRTIETH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1767.

Present:

The Honorable William Pitkin, Esq[r], *Governor.*

The Honorable Jonathan Trumbul, Esq[r], *Deputy Governor.*

Hezekiah Huntington, Esq[r],	William Pitkin Jun, Esq[r],	*Assistants.*
Mathew Griswold, Esq[r],	Roger Sherman, Esq[r],	
Shubael Conant, Esq[r],	Robert Walker, Esq[r],	
Elisha Sheldon, Esq[r],	Abraham Davenport, Esq[r],	
Eliphalet Dyer, Esq[r],	Joseph Spencer, Esq[r],	
Jabez Huntington, Esq[r],		

Representatives or Deputies of the Freemen of the several Towns are as follow, viz:

Colo. Samuel Talcott, Mr. Benjamin Payne, for Hartford.
Capt. John Strong, Capt. Isaac Lee jun., for Farmington.
Colo. John Chester, Capt. Elisha Williams, for Weathersfield.
Mr. John Owen, Capt. Hez^{h} Humphrey, for Symsbury.
Mr. Jonathan Welles, Maj. Elizur Talcott, for Glastonbury.
Mr. William Wolcott, Mr. Alexander Wolcott, for Windsor.
Mr. John Phelps, Capt. Obadiah Hosford, for Hebron.
Mr. Edward Collins, Capt. Ephraim Pease, for Enfield.
Capt. Zebulon West, Capt. Samuel Chapman, for Tolland.
Mr. Emery Pease, Mr. Reuben Sikes, for Sommers.
Mr. Elijah Hammond, Capt. Thomas Pitkin, for Bolton.
Mr. William King, for Suffield.
Capt. Samuel Daviss, for Stafford.
Colo. Hezekiah Brainerd, for Haddam.
Mr. Daniel Brainerd, for East Haddam.
Colo. Jabez Hamlin, Mr. Richard Alsop, for Midletown.
Capt. Timothy Pearl, Capt. Abner Barker for Willington.
Capt. Peter Bulkley, Capt. Henry Champion, for Colchester.
Mr. Daniel Lyman, Mr. Samuel Bishop, for Newhaven.
Mr. Nathaniel Hill, Mr. John Eliott, for Guilford.
Colo. Benjamin Hall, Capt. Macock Ward, for Wallingford.
Mr. Daniel Holbrook, Mr. Charles French, for Darby.
Mr. Joseph Rogers, Mr. Ithiel Russel, for Branford.
Colo. Elihu Chauncey, Capt. James Curtiss, for Durham.
Major Edward Allen, Capt. John Fowler, for Milford.
Capt. Jonathan Baldwin, Mr. Samuel Hickcox, for Waterbury.
[285] Mr. Richard Law, Mr. William Hilhouse, for New London.
Mr. Isaac Tracey, Mr. Joseph Tracey, for Norwich.
Mr. Charles Phelps, Capt. Joseph Denison, for Stonington.
Capt. Moses Fish, Capt. Benadam Gallop, for Groton.
Mr. Sam^{l} Holden Parsons, Mr. John Lay 2d, for Lyme.
Mr. Robert Creary, Colo. Samuel Coit, for Preston.
Capt. John Shipman, Maj. John Murdock, for Saybrook.
Capt. Elnathan Stephens, Colo. Aaron Eliot, for Killingworth.
Capt. David Burr, Mr. Lothrop Lewis, for Fairfield.
Capt. Theophilus Nickols, Capt. Agur Tomlinson, for Stratford.
Mr. Joseph Platt, for Norwalk.
Capt. Charles Webb, for Stamford.
Capt. Henry Glover, Mr. Heath Peck, for Newtown.
Mr. Joseph Platt Cook, Capt. Daniel Taylor, for Danbury.
Mr. Samuel Olmstead, Mr. Stephen Smith, for Ridgefield.

Capt. Dan Towner, Mr. James Potter, for New Fairfield.
Colo. John Read, for Redding.
Mr. John Mead, Mr. Edward Brush, for Greenwich.
Maj. Jedidiah Elderkin, Mr. Hez. Manning, for Windham.
Maj. William Williams, Capt. Joseph Trumbull, for Lebanon.
Capt. Jabez Fitch, Mr. Stephen Frost, for Canterbury.
Mr. Phineas Strong, Mr. Ephraim Root, for Coventry.
Mr. Simeon Learned, Capt. William Danielson, for Killingly.
Maj. Ezekiel Pierce, Mr. Elisha Payne, for Plainfield.
Mr. Samuel Stutson, Capt. Samuel Gurley, for Mansfield.
Colo. Ebenez. Williams, Colo. Israel Putnam, for Pomfret.
Capt. Robert Dixon, Mr. Samuel Stewart, for Voluntown.
Capt. Nehemiah Lyon, Mr. Jedidiah Morse, for Woodstock.
Capt. Benja. Sumner, Mr. Elijah Whiton, for Ashford.
Colo. Ebenezer Marsh, Capt. John Marsh, for Litchfield.
Capt. John Williams, Mr. Simeon Smith, for Sharon.
Capt. Abijah Catlin, Capt. Joel Catlin, for Harwinton.
Mr. Daniel Sherman, Colo. Benja. Hinman, for Woodbury.
Mr. John Ransom, Mr. Eliphalet Comestock, for Kent.
Mr. Samuel Forbes, for Canaan.
Capt. Isaac Kellogg, Capt. Abel Merrels, for New Hartford.
Mr. Thomas Russell, Mr. Heman Swift, for Cornwall.
Capt. Thoˢ Chittenden, Mr. Joshua Porter, for Salisbury.
Capt. Samuel Nash, Mr. Nehemiah Lewis, for Goshen.
Mr. Bushnel Bostwick, Capt. Samˡ Canfield, for New Milford.
Mr. John Cook, for Torrington.

Zebulon West, Esqʳ, Speaker } of the House
William Williams, Esqʳ, Clerk } of Representatives.

[288] An Act for repealing the first Paragraph in a certain Law of this Colony made in General Assembly in May, 1764, entituled An Act in Alteration of An Act entituled An Act for forming and regulating the Militia and for encouraging Military Skill for the better Defence of this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the first paragraph in said act, made in May as aforesaid, be repealed, and the same is hereby repealed and made void.

An Act in further Addition to an Act entituled An Act for forming and regulating the Militia and the Encouragement of Military Skill for the better Defence of this Colony.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the towns of Cornwall, Sharon, Salisbury, Canaan and Norfolk, shall be one entire regiment, distinguished and called by the name of the Fourteenth Regiment, and shall be under the same rules and orders, and have the same powers, privi-

ledges and advantages, as other regiments of this Colony by law have.

An Act for reviving an Act entituled An Act relating to Quarters for his Majesty's Regular Forces in this Colony.

Whereas it is provided in said act that the same should be in force no longer than until the rising of this Assembly,

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That said act be revived, and the same is hereby revived, and shall be and continue in force till the rising of this Assembly in October next.

An Act to oblige the several Towns on the Post-Roads in this Colony to erect Monuments shewing the Distances from the several County Towns on said Roads.

Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That it shall be the duty of the selectmen in the several towns on the several post-roads in this Colony, at the expence of such town, to erect and keep up stones at least two feet high near the side of the common travelling road, marked with the distances from the county town of the county where such town lyes, according to the mensuration lately made by public order.

Be it further enacted, That if the selectmen in such towns shall neglect to erect such stones marked as aforesaid for the space of five months next after the rising of this Assembly, or if such stone or monument shall be beat down or defaced, and the selectmen for the time being shall neglect to erect or mark such stone as aforesaid for the space of one month after notice given to them, such selectmen shall pay and forfeit the sum of forty shillings: one half to him or them who shall prosecute the same to effect, the other half to the treasury of the towns where such selectmen belong.

An Act in further Addition and Alteration of the Laws relating to the Fare and Regulation of New London Ferry.

Whereas the fare of New London Ferry is found to be insufficient to support the same, and not adequate to the fares of other ferries, considering the width and difficulty attending the same,

Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the fare of said ferry for the future shall be, for a man, horse and load, six pence; a foot man, two pence; led horse, four pence; for an ox or other neat kind, six pence; for sheep, swine, or goat, three farthings each; and that the fare for wheel-carriages &c. shall be in the same proportion thereto as is already by law fixed; and that the fare shall be-

long to that ferryman in whose boat they shall pass; any law, usage or custom to the contrary notwithstanding.

This Assembly appoints Abraham Davenport, Esq^{r}, Major of the ninth regiment of the militia in this Colony.

[287] This Assembly do appoint Benjamin Hinman, Esq^{r}, to be Lieutenant-Colonel of the thirteenth regiment of militia in this Colony.

This Assembly do appoint Bushnell Bostwick, Esq^{r}, to be Major of the thirteenth [regiment] of militia in this Colony.

This Assembly do appoint David Whitney, Esq^{r}, Colonel of the fourteenth regiment of militia in this Colony.

This Assembly do appoint John Williams, Esq^{r}, to be Lieutenant-Colonel of the fourteenth regiment of militia in this Colony.

This Assembly do appoint Thomas Chittenden, Esq^{r}, to be Major of the fourteenth regiment of militia in this Colony.

This Assembly do establish Mr. Stephen Smith to be Captain of the seventh company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Timothy Andruss to be Lieutenant of the seventh company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Isaac Chidsey to be Ensign of the seventh company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. Nathan Booth to be Captain of a company or trainband in New Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. James Clark to be Lieutenant of a company or trainband in New Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Peter Curtiss to be Ensign of a company or trainband in New Stratford in the 4th regiment in this Colony.

This Assembly do establish Mr. Abner Baldwin to be Captain of the second company or trainband in the town of Litchfield.

This Assembly do establish Mr. Zebulon Culver to be Lieutenant of the second company or trainband in the town of Litchfield.

This Assembly do establish Mr. Benjamin Woodruff to be Captain of the third company or trainband in the town of Litchfield.

This Assembly do establish Mr. Nathaniel Goodwin to be

Lieutenant of the third company or trainband in the town of Litchfield.

This Assembly do establish Mr. Thomas Goodwin to be Ensign of the third company or trainband in the town of Litchfield.

This Assembly do establish Mr. Daniel Potter to be Captain of the first company or trainband in Northberry parish in the town of Waterbury.

This Assembly do establish Mr. Zebulon Frisbie to be Captain of the sixth company or trainband in the town of Farmington.

This Assembly do establish Mr. Amos Barnes to be Lieutenant of the sixth company or trainband in the town of Farmington.

This Assembly do establish Mr. Roswell Mills to be Captain of the third company or trainband in the town of Windsor.

This Assembly do establish Mr. Aaron Bissell to be Lieutenant of the 3d company or trainband in the town of Windsor.

This Assembly do establish Mr. Ebenezer Tiffany to be Lieutenant of the new company or trainband in the northeast part of the town of Lyme in the 3d regiment in this Colony.

This Assembly do establish Mr. Daren Tinker to be Ensign of the new company or trainband in the northeast part of the town of Lyme in the 3d regiment in this Colony.

[288] This Assembly do establish Mr. Benjamin Hall to be Captain of the northeast company or trainband in the first society in the town of Wallingford.

This Assembly do establish Mr. David Hall to be Lieutenant of the northeast company or trainband in the first society in the town of Wallingford.

This Assembly do establish Mr. John Douglass to be Captain of the fifth company or trainband in the town of New London.

This Assembly do establish Mr. Henry Allyn to be Captain of the first company or trainband in the town of Windsor.

This Assembly do establish Mr. Roger Newberry to be Lieutenant of the first company or trainband in the town of Windsor.

This Assembly do establish Mr. Elisha Alverd to be Captain of the company or trainband in the parish of Greenfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Gershom Hubbel to be Lieutenant of the company or trainband in the parish of Greenfield in the 4th regiment in this Colony.

This Assembly do establish Mr. Jonathan Dimon to be Ensign of the company or trainband in the parish of Greenfield in the 4th regiment in this Colony.

This Assembly do establish Mr. James Perkins to be Ensign of the second company or trainband in the town of Groton.

This Assembly do establish Mr. John Wooster to be Captain of the 13th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Thomas Clark to be Lieutenant of the 13th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. John Basset to be Ensign of the 13th company or trainband in the second regiment in this Colony.

This Assembly do establish Mr. John Peck to be Captain of the first company or trainband in the town of Lyme.

This Assembly do establish Mr. Nathaniel Peck to be Lieutenant of the first company or trainband in the town of Lyme.

This Assembly do establish Mr. Dan Marvin to be Ensign of the first company or trainband in the town of Lyme.

This Assembly do establish Mr. Zacheus Brush to be Captain of the company or trainband in the south society in the town of New Fairfield.

This Assembly do establish Mr. Nehemiah Beardsley to be Lieutenant of the company or trainband in the south society in the town of New Fairfield.

This Assembly do establish Mr. John Douglass to be Captain of the first company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. John Gallop to be Lieutenant of the first company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Perry Clark to be Ensign of the first company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Andrew Backus to be Lieutenant of the 8th company or trainband in the 11th regiment in this Colony.

This Assembly do establish Mr. Simon Spaulding to be Ensign of the 8th company or trainband in the 11th regiment in this Colony.

[289] This Assembly do establish Mr. Elijah Merrels to be Lieutenant of the south company or trainband in the town of New Hartford.

This Assembly do establish Mr. Caleb Pitkin to be Ensign of the south company or trainband in the town of New Hartford.

This Assembly do establish Mr. Consider Hopkins to be Captain of the north company or trainband in the town of New Hartford.

This Assembly do establish Mr. Martin Smith jun. to be Lieutenant of the north company or trainband in the town of New Hartford.

This Assembly do establish Mr. Seth Smith to be Ensign of the north company or trainband in the town of New Hartford.

This Assembly do establish Mr. Timothy Baldwin to be Captain of the company or trainband on the east side of the river in the town of Derby in the 2d regiment in this Colony.

This Assembly do establish Mr. Nathaniel Johnson to be Lieutenant of the company or trainband on the east side of the river in the town of Derby in the 2d regiment in this Colony.

This Assembly do establish Mr. Oliver Curtiss to be Ensign of the company or trainband on the east side of the river in the town of Derby in the 2d regiment in this Colony.

This Assembly do establish Mr. Josiah Hurlburt to be Ensign of the south company or trainband in the town of Canaan.

This Assembly do establish Mr. Joseph Dyer to be Captain of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Simon Shepard to be Lieutenant of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Robert Dixon jun. to be Cornet of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. Asa Bacon to be Quarter-Master of the troop of horse in the 11th regiment in this Colony.

This Assembly do establish Mr. John Holbrook to be Captain of the fourth company or trainband in the town of Derby.

This Assembly do establish Mr. John Tomlinson to be Lieutenant of the fourth company or trainband in the town of Derby.

This Assembly do establish Mr. Nathan Smith to be Ensign of the fourth company or trainband in the town of Derby.

This Assembly do establish Mr. Henry Hotchkiss to be

Captain of the south company or trainband in the parish of New Cheshire.

This Assembly do establish Mr. Ephraim Cook jun. to be Lieutenant of the south company or trainband in the parish of New Cheshire.

This Assembly do establish Mr. Dan Hitchcock to be Ensign of the south company or trainband in the parish of New Cheshire.

This Assembly do establish Mr. Phineas Barnes to be Captain of the first company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. Zealous Adkins to be Lieutenant of the first company or trainband in Southington parish in the town of Farmington.

This Assembly do establish Mr. Reuben Hart to be Ensign of the first company or trainband in Southington parish in the town of Farmington.

[290] This Assembly do establish Mr. John Glover to be Captain of the second company or trainband in the town of Newtown.

This Assembly do establish Mr. Noah Frisbie to be Ensign of the 3d company or trainband in the town of Woodberry.

This Assembly do establish Mr. Benjamin Russel to be Captain of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Russel to be Ensign of the 12th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. John Daviss to be Ensign of the company or trainband in the west division of the town of Redding.

This Assembly do establish Mr. Isaac Tomlinson to be Captain of the first company or trainband in the town of Woodberry.

This Assembly do establish Mr. Asaph Smith to be Captain of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Caleb Hendey to be Lieutenant of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. William Dana to be Ensign of the 5th company or trainband in the 5th regiment in this Colony.

This Assembly do establish Mr. Hiel Buel to be Captain of the troop of horse in the seventh regiment in this Colony.

This Assembly do establish Mr. Charles Haselton to be Lieutenant of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. Samuel Picket to be Cornet of the troop of horse in the seventh regiment in this Colony.

This Assembly do establish and confirm Mr. Abner Porter to be Quarter-Master of the troop of horse in the 7th regiment in this Colony.

This Assembly do establish Mr. John Lines to be Captain of the sixteenth company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Timothy Ball to be Lieutenant of the 16th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Hezekiah Clark to be Ensign of the 16th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Beckley to be Lieutenant of the 18th company or trainband in the 6th regiment in this Colony.

This Assembly do establish Mr. Jacob Atwater to be Captain of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Samuel Atwater to be Lieutenant of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. Jonathan Dickerman to be Ensign of the 15th company or trainband in the 2d regiment in this Colony.

This Assembly do establish Mr. John Mead to be Captain of the new-erected company or trainband in the town of Greenwich.

[291] This Assembly do establish Mr. Benjamin Mead jun. to be Lieutenant of the new-erected company or trainband in the town of Greenwich.

This Assembly do establish Mr. Isaac Holmes to be Ensign of the new-erected company or trainband in the town of Greenwich.

Resolved by this Assembly, That Messrs. John Ledyard, John Lawrence, Colo. Elihu Chauncey, Mr. Samuel Holden Parsons, Capt. David Burr, Maj. William Williams and Capt. Benjamin Stiles, be appointed Auditors, to settle and adjust all outstanding accounts and debts, of what nature soever, with the Treasurer, agents, King's attorneys, and all other

persons who may have the Colonies money or securities in their hands, and make report how they find all such outstanding accompts and of all other their proceedings unto the General Assembly at their sessions in May next.

Resolved by this Assembly, That the Treasurer of this Colony be directed to pay out of the treasury the sum of fifteen pounds three shillings, to defray the charges and expences of a captain with the officers and soldiers of one of the military companies in the town of Hartford under his command to the number of sixty, rank and file, for their attendance and services as a Guard to the General Assembly on the day of public Election at Hartford on the 2d Thursday of May, annually.

The Gentlemen nominated by the Votes of the Freemen, to stand for Election in May next, as sent in to the General Assembly holden at Newhaven on the 2d Thursday of October Anno Dom. 1767, are as follow, viz:

The Hon^{ble} William Pitkin, Esq^{r},
The Hon^{ble} Jonathan Trumbull, Esq^{r},

Hezekiah Huntington, Esq^{r},	Abraham Davenport, Esq^{r},
Mathew Griswold, Esq^{r},	W^{m} Sam^{l} Johnson, Esq^{r},
Shubael Conant, Esq^{r},	Joseph Spencer, Esq^{r},
Elisha Sheldon, Esq^{r},	The Hon^{ble} Thomas Fitch, Esq^{r},
Eliphalet Dyer, Esq^{r},	Ebenezer Silliman, Esq^{r},
Jabez Huntington, Esq^{r},	John Chester, Esq^{r},
William Pitkin, Jun. Esq^{r},	Benjamin Hall, Esq^{r},
Roger Sherman, Esq^{r},	Jabez Hamlin, Esq^{r},
Robert Walker, Esq^{r},	Capt. Zebulon West.

This Assembly being advised that a shorter and more feasible road than what is now travelled in from Newhaven to Windham might be found out through the towns of Newhaven, Branford, Guilford or Killingworth, Durham, Haddam, Middletown, Chatham, East Haddam, Colchester and Lebanon, to said Windham, to the great accommodation and benefit of all his Majesty's subjects occasionally travelling from Newhaven to the eastern parts of this Colony: It is thereupon resolved, that Maj. William Williams, Maj. Jedidiah Elderkin and Mr. Isaac Tracey be a committee, and they are hereby appointed, as soon as conveniently may be, to repair to said towns of Newhaven, Branford, Guilford or Killingworth, Durham, Haddam, Middletown, Chatham or East Haddam, Colchester, Lebanon and Windham, and with all care and diligence view and observe the ground and find out where it may be practicable to lay out the shortest and most feasible road; and a full description with their doings thereon to make report to this Assembly in May next: said committee always

observing to notifie one or more of the selectmen of each town when they attend to view as aforesaid.

This Assembly do appoint John Chester, John Ledyard and Samuel Talcott, Esq^rs, a committee to settle accompts with Mr. Aaron Day of Newhaven, relating to certain services by him done for this Colony and certain sums of the Colony's money by him received to pay out for the Colony's use in the time of the late war, and thereof make report to this Assembly in May next.

Resolved by this Assembly, That the Treasurer of this Colony of Connecticut pay unto his Honour the Governor the sum of five pounds eighteen shillings and one penny, lawful money, for the postage of public letters, in discharge of his accompt exhibited to this Assembly therefor.

[292] Upon the petition of Samuel Hazzard, late of Fishers Island now of Colchester, and James Mumford, of New London, representing to this Assembly that John Still Winthrop, Esq^r, of said New London, leased said Fishers Island to the said Hazzard for the term of five years, commencing the 25th day of March, A.D. 1761, with the stock upon said island according to a schedule annexed to said lease, and in order to secure the performance of all the covenants on the part of said lessee he, the said lessee, with the said Mumford became bound to said lessor in the penal sum of ten thousand pounds, lawful money, by their bond dated 24th March, 1761, conditioned for the performance of the covenants in said lease contained, on the part of said lessee; that said Winthrop, since the expiration of said lease, hath brought his action on said bond against the said Mumford, and recovered final judgment thereon at New London superior court, September term A.D. 1767, against said Mumford for £378 8 6, damages, with cost &c.; that during the term of said lease the said Hazzard had exerted himself in introducing a much better breed of cattle and sheep &c. than those he received at first on said island, and in making and repairing fences, and in making large and sumptuous entertainments for said Winthrop and his companies, attending their diversions &c. on said island, upon the private assurances of said Winthrop that he should be allowed therefor out of the rents of said letten premises by deducting the same, and should have said island a longer term &c.; that in the course of said tryal the petitioners exhibited a large accompt of said articles, which the jury could not allow (as the pleadings were joyned) in performance of said covenant, althô said articles appeared just and reasonable; that great injustice had been done to said Hazzard in com-

pelling him to deliver back to said Winthrop a much better stock and more valuable at the expiration of said lease than he received at the beginning with said island &c.; praying for a committee to enquire &c., and that whatever sums should in justice be found due or coming to said Hazzard might be deducted out of said judgment recovered against said Mumford to the amount thereof, and the overplus, if any be, paid to said Hazzard &c., as per petition on file: Resolved by this Assembly, that Messrs. Jabez Hamlin, Esq^{r}, of Midletown, Doct. Daniel Lothrop of Norwich, and Joshua West, Esq^{r}, of Lebanon, be and they are hereby appointed a committee with full power to examine into all said matters alledged in said petition and all circumstances relative thereto, by the oath of the parties or otherwise, and of what they shall find, together with their opinion thereon, to make report to this Assembly at their sessions in May next; and that execution on the aforesaid judgment against the said Mumford be stayed in the meantime.

Upon the petition of Amos Bostwick and Sarah his wife, Rachel Grant and Anne Grant, all of New Milford in Litchfield county, which Sarah, Rachel and Anne are the heirs of Friend Grant, deceased, shewing to this Assembly that Asa Hopkins, Harris Hopkins and Abigail Hopkins, all of Litchfield in Litchfield county, obtained a resolve of the General Assembly of this Colony in May last for vacating two certain deeds, the one given by Asa Hopkins late of Litchfield, deceased, and Abigail his wife, to Stephen Sedgwick, of Hartford in Hartford county, of certain lands lying in said Litchfield, the other deed from said Sedgwick to said Asa, deceased, containing the same lands, both said deeds bearing date December 27th, 1744, and that said resolve was obtained without any previous notice to them; praying this Assembly to review said case and hear them thereon; also alledging that they are greatly affected in the premises, by means of a deed given by Ambrose Marsh of said Litchfield to said Harriss Hopkins, and also on account of a debt due from the estate of one Friend Grant, deceased, unto the estate of said Asa Hopkins, deceased, occasioned by the said Friend's having been bondsman for the said Asa, deceased, unto Nathaniel Hassard late of New York, deceased; praying for redress of their grievances in the premises: Resolved by this Assembly, that Messrs. Mathew Talcott of Midletown, Epaphras Sheldon of Torrington, and Gideon Walker of Woodbury, Esq^{rs}, be a committee to examine and enquire into the whole matter referred to in said petition and the circumstances relative thereto, and make report of what

they shall find in the premises to the General Assembly to be holden at Hartford on the second Tuesday of May next.

Upon the petition of Joseph Hoit of Stamford, against Eleazer Cary of Windham, and Henry Morris of Woodstock, representing that the said Eleazer and Henry obtained judg-
[293] ment against || the petitioner at the superior court held at Windham on the 4th Tuesday of September last past, for the sum of £78 5*s.* 8*d.* lawful money, damages, and costs, in an action by them brought against him upon an undertaking as a captain of a certain company in the service of this Colony to pay certain sums alledged to be due to the said plaintiffs as sutlers from certain soldiers belonging to said company; further representing that whatever sums are still due from any of the said soldiers ought to be recovered of them, and which the petitioner cannot recover by law, and that under the circumstances the petitioner ought not in equity to be holden to answer the same to the petitioners, for the reasons assigned and set forth in the petition; praying for the interposition of this Assembly, as by the petition on file: Resolved by this Assembly, that Jabez Hamlin, David Wooster and Thomas Darling, Esq^rs, be and they are hereby appointed a committee with full power to cite and call before them the parties to said petition, as also the said soldiers, or so many of them as may be come at, from whom any sums of money are claimed to be due as abovesaid, and to enquire into the matters complained of and referred to in said petition, by the oaths of the parties and such soldiers, and by any reasonable way, and make report of what they shall find with their opinion thereon to this Assembly in May next; and that execution on said judgment be staid in the meantime.

Upon the petition of Samuel Tozer, of Colchester in Hartford county, representing to this Assembly at their sessions in Hartford in May last, that in the year 1762, he with one William Clark of said Colchester were jointly indebted to one Mehitabel Webb of Weathersfield in said county, as she was administratrix on the estate of Joseph Webb late of said Weathersfield then deceased, in the sum of about £1067 0*s.* 0*d.* lawful money, and also he then separately owed to said estate and to the said Mehitabel in her own right about five hundred pounds like money, and that the petitioner in March, 1762, executed to said Mehitabel a mortgage-deed of two tracts of land in said Colchester, the one containing more than three hundred acres, the other containing about fifty acres, as a pledge and security for said debts, and that afterwards, *viz:* in the year 1763, he, the petitioner, executed to said Silas Dean

of said Weathersfield, then married to said Mehitabel, deeds of three other tracts of land, two of them lying in Colchester aforesaid and the other in Millington parish in East Haddam, together with a bill of sale of all his personal estate to the value of £1000 0*s.* 0*d.* lawful money, in trust for the payment of his, said petitioner's, debts, and that said Dean had not paid said debts &c., as by said petition on file appears: upon which petition this Assembly at their said sessions in May last appointed Joseph Spencer and Joshua West, Esq^rs^, and Mr. Richard Alsop a committee, to enquire into the matters complained of in said petition and to make report to this Assembly of what they should find with their opinion thereon at this present sessions; which committee after notifying said parties and fully hearing them thereon did make report to this Assembly, that on the 9th of March, 1763, the petitioner was indebted by note to said Mehitabel the sum of £511 2 7, with interest, and that the petitioner with said Clark were jointly indebted to the estate of said Joseph by note the sum of £1096 17*s.* 0*d.* with interest, and that the petitioner on said 9th of March, pledged and mortgaged to said Mehitabel said large farm of more than three hundred acres and also said farm of about fifty acres as a security for said debts, by a deed dated the same 9th of March, 1763, and that said Silas and Mehitabel have since sued for and recovered the possession of said two farms, and that said petitioner hath since said March, 1763, by a bill of sale made over to said Silas personal estate to the value of about £610 16*s.* 3*d.*, also said three other farms, all in trust for the payment of his debts, and that said Dean hath since paid to sundry persons including two debts the one of about fifty-seven pounds nine shillings and ten pence, due to said Mehitabel, and the other of about nine pounds fourteen and one penny, due to the said Silas, to the amount of four hundred eighty-two pounds nine shillings and six pence, and that said farm lying in said Millington has since been applied to the payment of the petitioner's debts, and that there now remains in the hands of said Silas one hundred twenty-eight pounds six shillings and nine pence, avails of said personal estate; and thereupon said committee reported to this Assembly that it was their opinion that the said Dean should pay to the petitioner said sum of £128 6 9, and also in a reasonable time by a good authentick deed release and quit-claim to the petitioner two of said tracts of land made over in trust, *viz:* one tract of land lying in said Colchester con-
[294] taining by estimation about one hundred and eighty ‖ acres, and the other lying in said Marlborough parish in said

Colchester of about one hundred acres, or in default thereof to pay to said Tozer seven hundred pounds, lawful money, as per said report appears: It is thereupon resolved by this Assembly, that the said Silas shall within two months, by a good deed under his hand and seal, release and quit-claim to the petitioner said farm of about one hundred and eighty acres, and also said farm lying in said Marlborough parish, or in default thereof pay to the petitioner the sum of seven hundred pounds, and that the said Silas shall also pay to the petitioner the sum of one hundred twenty-eight pounds six shillings and nine pence, lawful money, and that execution be awarded accordingly. *Cost also allowed the petitioner is* £20 1*s.* 10*d. lawful money. January 5th.* 1768. *Execution granted for the* £128 6*s.* 9*d. mentioned in the above decree, and for the cost* £20 1*s.* 10*d. abovesaid.*

Upon the petition of John Royce jun., of Wallingford, representing to this Assembly that in the year 1765 he obtained two judgments before John Whiting, Esq^r., *just pacis*, against Abner Curtiss, late of said Wallingford now of Farmington, for £15 12*s.* 6*d.* money, debt, and £0 12*s.* 10*d.* costs, and also for £6 3*s.* 4*d.* debt, and £0 12*s.* 10*d.* costs, and had executions thereon, which he delivered to an officer who kept the same till the latter end of November, 1765, when he levyed the same on said Curtiss, carried him to Newhaven and offered to commit him, but the keeper of the gaol doubting whether he might lawfully receive him, he being brought out of Hartford county by a constable of Farmington who refused to leave the original execution and had no copies on stampt paper, did not receive the said Curtiss but suffered him to go at large, whereupon said officer returned said executions endorsed that he had taken said Curtiss and committed him to the keeper of the gaol in said Newhaven; that said Curtiss had procured himself to be taken and carried to gaol as aforesaid, in order to avoid said just debt; that the petitioner after applied for and obtained *alias* executions, on which said Curtiss paid £6 5*s.* 2*d.* which is all that ever was paid on said judgments; that said Curtiss brought his *audita querela* against the petitioner to the last superior court at Hartford, and on tryal insisted that said *alias* executions issued erroneously, and thereupon the petitioner was prohibited proceeding on said *alias* executions and condemned in a large sum for costs by said superior court; praying for relief, as by said petition on file appears. The said Curtiss appeared at this Assembly and urged that he had agreed with said Royce, sometime in January last, on a submission of the book accompts between them to arbitrament of

arbitrators, who considered said matters and awarded about the sum of £14 0*s.* 0*d.* lawful money, to said Royce, and that said arbitrators considered and allowed in favour of said Royce certain sums that [he] had before paid &c., and that in making their judgment and award the said arbitrators made a mistake, and that thereupon said Curtiss ought to be discharged from said executions; which being denyed by said Royce, who alledged that said matters respecting said executions was not at all considered by said arbitrators, nor were they designed to be discharged, and that said arbitrators made no mistake in said award: Resolved by this Assembly, that Daniel Lyman, Samuel Bishop jun. and Benja. Payne, Esq^rs, be and they are hereby appointed a committee to examine into said book accompts of the said parties and all the matters in said petition alledged and mentioned, the said award and discharges notwithstanding, and make report to this or the next Assembly of what they shall find in the premises.

Upon the petition of Joseph Royce jun., of Wallingford in the county of Newhaven, representing that he had recovered judgment and executions for certain sums of money before John Whiting, Esq^r, justice of peace, against Abner Curtiss, now of Farmington in Hartford county, and that said executions were levyed on said Curtiss' body and he committed to the keeper of the gaol in Newhaven thereon, who permitted him to go at large, and that the sums of said judgments had never been paid, Messrs. Daniel Lyman and Sam^l Bishop jun., of said Newhaven, and Benja. Payne, of Hartford in Hartford county, were appointed a committee to enquire into the matters in said petition, who reported that they found due on said judgments the sum of £16 16 4, lawful money, with their opinion that said Curtiss ought to pay the same to said Royce together with the interest, amounting to the sum of £19 4*s.* [295] 10*d.* which report is accepted: ‖ Resolved by this Assembly, that the said Curtiss pay unto the said Royce the said sum of £19 4*s.* 10*d.* lawful money, and that execution shall be granted accordingly. *Cost allowed petitioner is £6 5s. 6d. lawful money. Execution granted October 30th*, 1767.

Upon the petition of Elizabeth Marshall, of Torrington, against John Whiting, of the same Torrington, representing to this Assembly that the said John Whiting had failed and omitted to enforce a certain decree and order of this Assembly made and passed in October last, respecting her support and maintenance as stipulated by her husband Thomas Marshal in a bond given to him, the said Whiting, and praying for relief, as in and by the petition on file: Resolved by

this Assembly, that the said John Whiting do pay, and he is hereby ordered and directed to pay, to the said Elizabeth the sum of fourteen pounds eleven shillings, lawful money, being the balance of the monies found due to her in October last, with the sums since arisen and become due to the 22d day of August last, including the monies paid to her in part. And he is also hereby directed to enforce the payment to her of twenty-six shillings quarterly by the said Thomas Marshall, from and after the 22d day of August last, agreeable to said former order, from time to time as the same shall become due, until this Assembly shall otherwise order.

Upon the petition of Leonard Owen, Eliphalet Owen and Elijah Owen, all of Salisbury in Litchfield county, shewing to this Assembly that one Thomas Lamb, of Poscotank county in the Province of North Carolina, upon the 27th day of May, A. D. 1761, gave them a warranty deed purporting a conveyance unto the petitioners of three hundred seventy-six acres and an half of land, all adjoining together and adjoining to the ponds on Tauconuck mountain in Salisbury in Litchfield county, for which they executed their note of hand to said Lamb for one hundred and eighteen pounds, New York money, and complaining of gross fraud on the part of said Lamb, and that they are greatly injured thereby, as to the situation, quantity and quality of said land: praying for the equitable interposition of this Assembly in the premises: Resolved by this Assembly, that Oliver Wolcott of Litchfield, Moses Lyman of Goshen, and Andrew Adams of Litchfield, Esq^{rs}, be and they are hereby appointed a committee to examine into the matters alledged in said petition, and their opinion thereon to report to this Assembly in their sessions in May next. And it is ordered by this Assembly, that Litchfield county court do not render judgment on said note in the meanwhile, and that there shall be no further proceedings on the executions mentioned in said petition, nor any suit brought relative to any proceedings already had on said execution before the rising of the General Assembly to be holden at Hartford in Hartford county in May next.

Whereas a petition of Benjamin Jacobs and Solomon Jacobs, of Mansfield, against Joseph Jacobs of said Mansfield, was preferred to this Assembly in May last, and thereon a committee being appointed to enquire into the matters contained in said petition and make report to this Assembly at their present session, and the said business as yet not having been attended: The said petition is further continued to the session of this Assembly in May next, and the said com-

mittee before appointed are hereby reappointed and further impowered to enquire &c., and make their report to this Assembly at their sessions in May next.

Upon the memorial of Nathaniel Penfield, of Wallingford in the county of New Haven, representing that on the 8th day of December, 1757, he purchased of one John Gordon, late of Newhaven in said county, deceased, then in life, for the consideration of fifty pounds, lawful money, paid to said Gordon, two pieces of land situate in said Newhaven, containing three quarters of an acre, more or less: one piece bounded east by Jonathan Mix, north and west on Nathaniel Penfield, and south on highway; the other piece bounded east, west and north on Jonathan Mix, south on said Penfield, with the buildings, and on the same day took a deed of said lands and gave to said Gordon a bond to reconvey on receiving said money within one year from said time; that the buildings on said land are going to decay, and the petitioner in want of the purchase money; that neither the heirs nor creditors of said deceased are at all likely to redeem the same; that the petitioner hath an opportunity for sale &c.; praying for a foreclosure of the equity of redemption &c.: [296] || Resolved by this Assembly, that if the creditors or heirs of John Gordon, deceased, mentioned in the petition, do or shall not within the term of three months next after the rising of this Assembly pay to the petitioner the consideration money according to the tenour of the mortgage referred to &c., they, the said creditors or heirs, shall forever after be debarred and foreclosed of demanding or recovering the equity of redemption in and to the premises described in the mortgage aforesaid.

Upon the petition of Ebenezer Keeney of Derby, representing to this Assembly that in the year 1759, he gave to Nathaniel Hazzard, late of the city of New York, deceased, three bonds conditioned for the payment of £671 15 7, New York money, and interest, and that in 1761, he paid to said Hazzard £805 10*s*. 0*d*. money aforesaid, which was in full of the principal and interest due on said bonds; that said Hazzard not having endorsed said payments on said bonds brought his actions against said Keeney on said three bonds by writs of attachment, which were served on a brigantine belonging to said Keeney; that Judson Burton and Gideon Tomlinson, late deceased, both of Stratford, gave a bond to the sheriff of Fairfield county, conditioned to deliver said brigantine to said sheriff to be taken in execution on said judgments to be recovered in said actions; that said actions

came to April court 1761, when said Hazzard's attorney proposed to said Keeney to have judgments rendered on default, and promised that if said Keeney would suffer judgments to go on default that executions should not issue till said Keeney could settle said accounts with said Hazard, and that all monies paid by said Keeney should be allowed on said judgments, and if on settlement nothing was due to said Hazard on said bonds, there should be no cost taxed against said Keeney; that thereupon judgment was rendered in said actions against said Keeney by default, for £692 16*s.* 10*d.* New York money, debt, and £11 19*s.* 0*d.* lawful money, costs; that said Hazard immediately took out executions against said Keeney, and procured the same to be returned *non est*, and in October, 1762, bro't an action against said Burton on the said bond given to said sheriff and appealed the same to the superior court, and at the time of final tryal was nonsuit in said action; that the executors of said Hazard afterwards brought an action against said Burton and finally withdrew the same; and further, that said payments made to said Hazard were at sundry times and in rum, sugar &c., chiefly, and no receipts taken for a considerable part thereof, and that said Hazard's executors refuse to allow the same in payment, and that said Keeney gave to said Burton and Tomlinson a deed of mortgage of his dwelling-house and homestead, which must remain under that incumbrance till said judgments are satisfied; praying for relief &c., as per petition on file: Resolved by this Assembly, that David Burr, Esq^r, of Fairfield, Colo. Nathan Whiting of Newhaven, and Mr. Benjamin Stiles of Woodberry, be and they are hereby appointed a committee to hear and examine into all the matters alledged in said petition, and make report of what they find with their opinion thereon to this Assembly at their sessions at Hartford in May next.

Upon the petition of William Robinson of Killingly, representing to this Assembly held at Newhaven in October last that in the year 1751, he made over by deed to one Joseph Morey, of Smithfield in Rhode Island Colony, certain lands in said petition described, as a pledge for certain monies received of said Morey &c.; praying for relief in equity: which matters in said petition were by said Assembly referred to the consideration of Jabez Fitch, Ebenezer Williams and Robert Dixon, Esq^rs, the same to examine and their report to this Assembly to make in May last with their opinion; which matters said committee took under their consideration, heard the parties &c., and their report with their opinion

thereon made to this Assembly in May last, which was with the further consideration thereof continued to this Assembly; in which report said committee found that said Robinson had paid to said Morey considerable part of said monies borrowed as aforesaid, and that said Morey had released some part of said land deeded as aforesaid to said Robinson, and the other part thereof said Morey had long before said petition sold to other persons with warranty &c., and there was justly due from said Morey to said Robinson in equity the sum of £17 12*s* 0*d*. lawful money, and that said Morey pay cost &c., as by said petition and report &c., which report is by this Assembly accepted &c.: Whereupon it is resolved by this Assembly, that said Joseph Morey pay unto the said William Robinson the sum of £17 12*s*. 0*d*. and his cost, allowed to be £9 19 8, lawful money, and that execution be thereon awarded accordingly. *Execution granted Nov.* 2*d*, 1767.

[297] Upon the petition of Simeon Minor jun., of Stonington, against Reuben Hewit of said Stonington, representing that the said Reuben having been bound in service to the petitioner and some differences and disputes arising between them respecting their dealings, they had submitted the same to arbitrament, and that an award had been made in favour of the petitioner for £29 12*s*. 8¾*d*., but that said award by reason of some mistaken steps taken by the arbitrators had fallen through and been set aside, and by that means the petitioner had lost the service of the said Hewet as also large costs in the course of said arbitrament and law suits between the petitioner and the said Hewit and one Collins York in and about the matter of said arbitration &c.: the said York being surety for said Hewit's abiding said award and a party to the submission; praying to have commissioners appointed to examine and award of and concerning the accompts and dealings of the parties to said petition and the said costs &c., as by the petition on file: Resolved by this Assembly, that William Witter, Esq^r, Messrs. Nathaniel Brown and Robert Creary, be and they are hereby appointed a committee with full power to enquire into and examine and adjust all matters of accompt and dealing subsisting between the said parties, that is the said Minor and Hewet, and their report and award thereon to make, as also of and concerning the said costs expended in and about the said arbitration and law-suit, as to what is reasonable and equitable respecting the same. Provided nevertheless, and it is to be understood, that the said judgment obtained by the said York and Hewet is not to be affected by

anything done or to be done upon or in consequence of said petition or this appointment and commission.

Upon the petition of James Waughwas and the rest of the Tunxis tribe of Indians living at Farmington, against Solomon Whitman, Esq^r, and others of said Farmington, representing that the petitioners have encroached upon certain lands called the Indian Neck, and other lands anciently reserved and set apart for the use of said tribe; praying for relief &c., as by the petition on file: Resolved by this Assembly, that Zebulon West, Hezekiah Humphrey, Esq^rs, and Mr. Benjamin Payne, be and they are hereby appointed a committee with full power to enquire into the several matters in said petition mentioned and set forth, and make report of what they shall find with their opinion thereon to this Assembly at their sessions in May next.

Upon the petition of Benajah Douglass and others, the children and heirs of Benajah Douglass late of Canaan, deceased, against Asa Douglass late of said Canaan, now of a place called Jericho in the Province of the Massachusets Bay, and Robert Livingstone jun., Esq^r, of the manor of Livingstone in the Province of New York, representing that the said deceased Benajah, when under prevailing disorder of mind, had passed over to the said Asa large landed estate in trust, and that the said Livingstone had purchased considerable part thereof since of the said Asa, having notice that the same lay under an equitable claim of the said Benajah and his heirs; praying to have the said deeds from said Benajah to the said Asa vacated &c., as per the petition on file: Resolved, that Elisha Shelden, John Williams and Increase Mosely, Esq^rs, be and they are hereby appointed a committee with full power to enquire into the whole of the matters and things in said petition alledged and set forth, and make report of what they shall find, with their opinion thereon, to this Assembly in May next.

Upon the petition of Thomas Elmor of Windsor, against Isaac Bidwell of Farmington and Roswell Mills of Windsor, preferred to this Assembly in October, 1766, and from thence by continuance to this time, representing that the petitioner had made over to said Bidwell (being a deputy-sheriff) about twenty acres of meadow land lying in said Windsor, bounded and described as in said petition is set forth, for the security only of a small part of the sums due by certain executions in said Bidwell's hands and the officer's fees, and that the said Bidwell had since that time sold and conveyed the said lands to said Mills at public vendue for a trifling sum: he, the said

Mills, having disadvantaged the sale of said lands by setting up a claim to the same, &c.; praying to have said lands returned to the petitioner upon his paying such sums as should be found due upon said executions, as by the petition on file: on which a committee being appointed to enquire into said matters, they reported at this time, that there is due to said Bidwell on account of his demands on said executions &c. the sum of £23 0*s*. 0*d*. lawful money, and to the said Mills for the monies by him advanced, over and above the benefits by the improvement of said land, the sum of twelve pounds five [298] shillings, lawful money, with their opinion ‖ that upon the payment of said sums the petitioner ought to have said lands reconveyed to him, as by their report on file, which report is accepted: Whereupon it is resolved, ordered and decreed by this Assembly, that upon the said Thomas Elmor's paying to the said Isaac Bidwell the sum of £23 0*s*. 0*d*., and to the said Roswell Mills the sum of £12 5*s*. 0*d*., within three months from the rising of this Assembly, that they, the said Bidwell and Mills, do thereupon respectively give and execute to the said Thomas Elmor a good authentic deed of release and quitclaim of all their right and claim in and unto the said about twenty acres of meadow land, which they had and derived from said Elmor's said deed to said Bidwell, and that within one week after such payment to them respectively, on penalty of forfeiting each of the petitioners for his neglect therein the sum of three hundred pounds, lawful money.

Upon the petition of Richard Deshon and Mary his wife, and others of New London, the children and heirs of Capt. John Prentiss late of New London, deceased, against Lancaster Comestock of Lyme, complaining of error in the judgment of the superior court held at New London on the 4th Tuesday of September last, on a demurrer to the declaration in an action wherein the petitioners were plaintiffs and the petitionee defendant, demanding the surrendry of certain lands and real estate under and by force of the will of Jonathan Prentiss the elder, late of said New London, deceased, as per writ dated November 10th, 1766; praying to have the same reversed and for a new tryal of said cause &c., as per the petition on file: Resolved by this Assembly, that in rendering said judgment the said superior court manifestly erred and mistook the law, and the same is therefore hereby reversed and set aside, and the petitioners have liberty granted to enter and have their said cause tryed at the superior court to be held at Norwich on the fourth Tuesday of March next.

Whereas upon the petition of Edward Halleck of Newbor-

ough in the Province of New York, against Samuel Hall 3d of Wallingford &c., preferred to this Assembly in October last and thence continued to the sessions of the Assembly in May last, where a committee was appointed to enquire into the several matters alledged in said petition, which committee have not as yet been able to finish said enquiry: Therefore, resolved by this Assembly, that the consideration of said petition and the powers and authorities of said committee be further continued to the sessions of this Assembly in May next.

Upon the petition of Charles Caldwell, of Hartford, and George Caldwell, of Salisbury, shewing to this Assembly that Joseph Clark of Hartford brought his action against them to Hartford adjourned county court on the 4th Tuesday of June, A. D. 1765, demanding £300 0*s.* 0*d.* due by book &c., which action came to Hartford adjourned county court in January, A. D. 1767, and by said January court was put to auditors, and that said auditors in their return made to Hartford county court on the 2d Tuesday of April, A. D. 1767, found that said Caldwell was indebted to said Clark the sum of £115 15*s.* 2½*d.* lawful money, and judgment thereon rendered by said county court against said Caldwells for the aforesaid sum and £5 15 4, for cost of suit, and that they are greatly injured by the return aforesaid, and that they are now able to shew that there is nothing due in law or equity from them to said Clark &c.; praying this Assembly to appoint auditors in said cause to examine and report &c., and that said judgment and execution be set aside, and all past cost follow the final determination of the Assembly &c., as by said petition &c.: Whereupon it is resolved by this Assembly, that the prayer of said petition be granted; and John Chester, Esq^r, Maj. Erastus Wolcott and Mr. Jonathan Wells are by this Assembly appointed auditors in said case, to convene said parties, hear, examine and adjust their accompts, and make report to the General Assembly to be holden at Hartford on the 2d Thursday of May next; and the said judgment and execution, and all proceedings thereon in consequence thereof, are hereby set aside and made void.

Upon the petition of Nathaniel Humphrey of Symsbury, representing that in the year 1764, he being a lieutenant in the service of this Colony and on his march through the town of Litchfield with his company towards Fort De Droit, one Martin Humphrey, one of the sergeants in said company, was taken by an execution, under the sum of ten pounds sterling, and committed to said gaol; that he moved to the authority in said town of Litchfield for help and relief in

order to obtain the discharge and release of the said Martin from said gaol, but could find none; that upon advice and countenance then given, he presumed to open the inward [299] door of said || prison and set the said Martin at liberty; that the petitioner was thereupon arrested and bound over to the county court held at said Litchfield in the county of Litchfield on the 4th Tuesday of September 1764, in a recognizance of twenty pounds, money, to answer the complaint of one Asa Hopkins, constable of said Litchfield, for breaking said prison and enlarging the said Martin &c., on which he was afterwards sued, and judgment hath since been rendered against the petitioner in favour of the treasurer of said county of Litchfield, for the sum of fifteen pounds, lawful money, damages and costs &c.; praying for relief &c.: Resolved by this Assembly, that there be abated to the said Nathaniel Humphrey, the petitioner, of said bond of recognizance the sum of seven pounds fifteen shillings, lawful money, in addition to what has been abated thereon by the county court in said county of Litchfield, and that he be fully discharged and exonerated thereof.

Upon the petition of Elisha Francis and Anne his wife, of Symsbury, against Daniel Adams and Lucy his wife and Azariah Wilcoxson and Mary his wife, of said Symsbury, representing to this Assembly that the petitionees being heirs together with others of John Sexton late of said Symsbury, deceased, taking advantage of the weakness of the said Francis, had by undue measures while the last will of the said John was under consideration for the probate thereof, obtained from the said Francis first a large bond obliging himself and wife to convey, and afterwards and in consequence thereof compelling him, the said Francis and his said wife, to convey to them the one half of certain real estate given part thereof to the said Anne by deed from the said John Sexton, and the residue by his said last will given to the said Elisha, which will hath been since proved and appproved; praying to have said deed from the said Elisha and Anne Francis to the said Wilcoxson and wife and Adams and his wife vacated and set aside &c., as by the petition on file: Resolved by this Assembly, that John Pitkin, Esq^{r}, Capt. John Lawrence and Maj. Erastus Wolcott be and they are hereby appointed a committee with full power to enquire into the several matters alledged and complained of in said petition, and make report of what they shall find, with their opinion thereon, to this Assembly in May next.

Upon the memorial of the President and Fellows of Yale

College in Newhaven, representing that the revenues of said college are insufficient to defray the necessary expences thereof, and that by a resolve of this Assembly passed in October last, among other things it is recommended to the memorialists that, in order to the continual support of said college, their accompts be annually laid before the General Assembly of this Colony in the October session, which they have now accordingly done; praying this Assembly to make such grant for the support of said college as may be judged necessary &c.; and by their accompts now exhibited it appears that they are in debt for the last years' expences of said college the sum of £159 8*s*. 6*d*., including a balance of £49 8*s*. 6*d*. due towards finishing the chapel, and that some repairs of the old college and colouring the windows of the new college and chapel are now necessary, the cost of which is computed at £63 11*s*. 6*d*.: Resolved by this Assembly, that said sums, amounting to two hundred and twenty-three pounds, lawful money, in the whole, be paid out of the duties on rum collected by the naval officers in this Colony, and the naval officer for the port of Newhaven is hereby accordingly ordered to pay the same to the treasurer of said college out of said duty on rum, or so much thereof as he hath money arising thereon in his hands; and in case said naval officer have not sufficient to pay the whole, the naval officer for the port of New London is ordered to pay the residue thereof to said treasurer, for the use and purpose aforesaid.

Upon the report of Messrs. Increase Mosely, Bushnel Bostwick and Isaac Baldwin, Esq^{rs}, a committee appointed formerly by this Assembly to enquire into the affairs of Ousatunuck River Lottery: It is resolved and granted by this Assembly, that John Williams of Sharon and Cyrus Marsh of Kent, Esq^{rs}, be and they are hereby appointed and impowered, in their own names for the use of the Governor and Company of this Colony, to ask, demand and sue for, or otherwise by composition to obtain out of the estates of William Tanner, late of Cornwall, deceased, John Hitchcock of Kent, and Jehiel Hawley late of said New Milford, all such sums of money as are due from them respectively to said lottery, or so much thereof as can be obtained; also that they recover [300] and obtain whatever || may be recoverable upon the several debts contracted and receipts taken in favour of said Tanner, Hawley and Hitchcock, for tickets sold, as mentioned in said report, and apply the same to the redemption of the benefit tickets in said lottery, and render their accompts thereof to this Assembly at their sessions in May next. And

in the meantime the Treasurer of this Colony is hereby ordered to pay out of the Colony treasury the sum of one hundred pounds, lawful money, to the said Williams and Marsh, to the purpose of so far discharging the sums due on the benefit tickets in said lottery.

Upon the memorial of David Whitney and others, inhabitants of Canaan in the county of Litchfield, praying that two societies might be formed and erected in said Canaan township by a line described therein, Colo. John Pitkin of Hartford, William Wells, Esq^{r}, of Glastonbury, and John Owen, Esq^{r}, of Symsbury, all in the county of Hartford, were by the General Assembly in May, A.D. 1767, in their sessions at Hartford, appointed a committee to repair to said Canaan, to view the circumstances and situation thereof, and to enquire into the present funds and estate of said town, and also the expediency or inexpediency of dividing by the line prayed for, and generally of every other matter which might be necessary and conducive to the just settlement of a division of said town into two societies, and to report &c.; which committee having reported to this Assembly that, having repaired to said Canaan and viewed &c., they found that in said town there is a large mountain that runs almost through said town from the southeast corner near to the northwest corner of said town, and the meeting-house stands within about half a mile of the west line of said town, and that the inhabitants of said town are settled from the northeast corner round the northwest end of the mountain about to the southeast corner of said town, which makes it about fourteen miles as the roads run, which makes it difficult to attend public worship; that the list for said town in the year 1766 was £11689 5*s.* 0*d.*, and the interest of the public fund in said town for the support of the ministry amounts annually to about the sum of £17 0*s.* 0*d.* lawful money, and that they are of opinion that it is expedient that said town be divided into two ecclesiastical societies, and that the line for dividing said societies begin on the east side of said town at the line for dividing the militia, and to extend westward in said line until it meets with the east line of David Holcomb's land, and then to run northwardly to the northeast corner of said Holcomb's land, and then to run westwardly in said Holcomb's north line to his northwest corner bounds, and from thence a straight line to a highway north of the meeting-house, which highway leads to Salisbury, and then running in said highway to the bridge over the river called Housatunnuck River; and that the fund for the support of the ministry in said town be equally

divided between said societies; which report is accepted by this Assembly: Whereupon it is resolved by this Assembly, that the said town of Canaan be, and the same is hereby, divided into two distinct ecclesiastical societies by the line described in said report of said committee, with all the powers and priviledges usually belonging to ecclesiastical societies in this Colony. And the inhabitants living in said town south of said line shall remain and be called and known by the name of the first society in said town; and the inhabitants living north of said line shall be called and known by the name of the second society in said town. And the fund in said town for the support of the ministry in said town shall be equally divided between said societies. Provided also, and it is further resolved, that the covenants and agreements heretofore entered into and now subsisting by and between the said town of Canaan and the present minister or pastor thereof shall be, continue and remain between said first society and said minister, in the same manner obligatory as the same were and ought to be between said minister and said town before the passing this act.

Upon the memorial of Zebulon Gibbs, inhabitants of the south part of Litchfield in the county of Litchfield, consisting of about seventy families, preferred to the General Assembly in their sessions at Hartford in May last, therein praying that that part of said town of Litchfield lying within the following bounds, to wit, beginning at a double white oak tree standing in the line between Waterbury and Litchfield about four rods east of the branch of Waterbury River, thence running [301] north ‖ three miles, thence westerly a parallel line with Woodberry and Waterbury lines six miles and forty-six rods, thence south one mile and one half, thence southerly to the northeast bounds of Judea, thence easterly by Woodberry and Waterbury lines to the first-mentioned bounds, be made and formed into a distinct ecclesiastical society, with all the priviledges thereof, and that a committee might by said Assembly be appointed to view their situation and circumstances, and report their opinion thereon: which said Assembly appointed Benjamin Hall, Elihu Chauncey and Elisha Williams, Esq^rs, a committee for the purpose aforesaid; which said committee having viewed the circumstances of said inhabitants and their situation, and heard all parties concerned, made their report to this Assembly that it was their opinion that the memorialists be made a distinct ecclesiastical society within the bounds prayed for, with this alteration, *viz:* that instead of a due north line from the double white oak tree it should be a line

beginning at said white oak tree, and thence running northerly about two rods west of the present dwelling-house of Joshua Mason till it intersect the northern line abovementioned; which said report of said committee being accepted by this Assembly: It is thereupon resolved by this Assembly, that the inhabitants living within the aforementioned limits, with the alteration only as mentioned in the report of said committee above referred to, be erected into a distinct ecclesiastical society and be invested with all the powers and priviledges which other ecclesiastical societies in this Colony established by law do enjoy; and that the same be hereafter called and known by the name of South Farms;* and the inhabitants are hereby made and constituted a distinct ecclesiastical society with all the priviledges and powers as aforesaid.

An Act for making and forming that Part of Midletown which lyeth on the East Side of Connecticut River into a distinct Town.

Whereas this Assembly are informed that the inhabitants of that part of Midletown which lyeth on the east side of Connecticut River are many of them very remote from the main body of the town of Midletown and place of holding their public meetings, and that they are by their situation, the badness of the roads and difficulty of crossing the ferry over said river, at many seasons of the year almost entirely deprived from attending the public meetings in said town, and suffer great inconveniences thereby, and that for them any longer to continue as a part of said town of Midletown is very inconvenient:

Therefore, be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That that part of Midletown which lieth on the east side of Connecticut River be, and they are hereby, erected, made and constituted within the limits and bounds thereof a distinct town, with all the liberties, priviledges and immunities, which by law the other towns have and do enjoy; and said new-constituted town shall hereafter be called and known by the name of Chatham: with this limitation and restriction, that but one Representative which said new-constituted town shall at any time choose to attend the General Assemblies shall be at the public expence.

And be it further enacted by the authority aforesaid, That said town of Chatham shall have and hold their first town-meeting for the choice of town officers for the year ensuing some time in the month of December next, which meeting shall be warned by a warrant signed by any justice of the

*Incorporated as the town of Morris, May session, 1859.

peace in the county of Hartford, to be directed to any indifferent person to serve; which warrant shall appoint the time and place at which said meeting is to be held, and shall be served at least five days before the day appointed for holding said meeting.

Upon the memorial of Samuel Canfield, of New Milford in Litchfield county, Esq^{r}, shewing to this Assembly that he had for the public good, pursuant to advice of authority, expended the sum of forty pounds, lawful money, in prosecuting Lewis Hunt and John Bracket and others, for a notorious riot, and that he must lose the whole unless relieved by this Assembly: Resolved by this Assembly, that the said Canfield shall stand discharged from the payment of the debt, part of a judgment [302] recovered before the superior court held at Litchfield || in Litchfield county on the said Canfield's forfeiting a bond of recognizance of thirty pounds formerly acknowledged before Roger Sherman, Esq^{r}, then a justice of peace for Litchfield county, in favour of the Colony Treasurer. And whereas about fifteen pounds hath been formerly paid on the execution issued on said judgment, to Samuel Pettibone, Esq^{r}, the former King's attorney for Litchfield county, the said Pettibone is directed and ordered to refund said payment to said Canfield after reserving in his hands the contents of the costs contained in said execution. And if it shall so happen that the said Pettibone shall have paid any part of the debt of said execution into the Colony treasury of this Colony before he shall have notice of this resolve, that then the Treasurer of this Colony repay the same to said *Colony* [Canfield.]

Upon the memorial of Charles Caldwell of Hartford and George Caldwell of Salisbury, shewing to this Assembly that they have a furnace and a large bed of oar at Salisbury, which they procured at a great sum, and that the same is and likely to be vastly beneficial to the Colony in supplying it with pig-iron, hollow-ware &c., and that the memorialists stand in need of some more cash than they are able to command at this time of scarcity of money, to carry on said works as profitably to themselves and beneficial to the public as may be, and praying this Assembly to let them on interest twelve hundred pounds out of the public treasury for the space of two years &c., as per memorial &c.: Whereupon it is considered and resolved by this Assembly, that the memorialists have obligations in favour of this Colony put into his hands with power to collect the same, and orders drawn in their favour on the constables &c., in the whole to the amount of twelve hundred pounds, lawful money, to enable them to raise and receive the

same on their procuring and giving security to the Governor and Company of this Colony for the aforesaid sum with three able sureties besides themselves, to be paid in two years with the lawful interest therefor. And this Assembly hereby appoint and impower John Chester, Esq^{r}, John Ledyard, Esq^{r}, and Capt. John Lawrence, a committee to take and approve the security to the Governor and Company aforesaid, and the sufficiency of said sureties to be procured by said memorialists; and thereon said committee are to certifie to the Treasurer of the Colony, and order him to deliver out to said memorialists obligations and orders &c. as aforesaid, to the amount of the sum aforesaid; and the Treasurer on receiving such certificate and order aforesaid is hereby enabled and impowered to deliver to the memorialists obligations due to the Colony and orders on the constables as aforesaid, to the amount of twelve hundred pounds as aforesaid, for the use and benefit of said memorialists.

Upon the memorial of the first society in Plainfield, representing to this Assembly that the town of said Plainfield was lately divided and made two ecclesiastical societies; that the second society was made and constituted upon certain conditions, *viz:* that said second society should pay annually to said first society for the support of the ministry &c. what sum said first society should fall short of being two-thirds of the whole rateable estate of said town &c.; that said second society have failed to pay said sum due to the said first society &c.; that great difficulties have arisen &c.; praying for relief &c., as per memorial on file: Resolved by this Assembly, that Hezekiah Huntington, Jabez Huntington and Zebulon West, Esq^{rs}, be and they are hereby appointed a committee with full power to repair to said Plainfield and enquire into the circumstances of the memorialists and the rest of the inhabitants of said town of Plainfield, their actions and transactions relative to the matters in said memorial contained, and all circumstances relative thereto; and of what they shall find, with their opinion of what measures may be proper for this Assembly to be come into for promoting and settling peace and good order among them, to make report to this Assembly at their sessions in May next.

Upon the memorial of Zebulon Eliot, late of Groton now of New London in the county of New London, shewing to this Assembly that at Groton aforesaid on the 22d day of October, 1763, he hired of one William Haven, of Southampton in the county of Suffolk and Province of New York, then in full life but since deceased, the sum of thirty-four pounds eight shil-

lings and nine pence, New York currency, and for the security [303] and payment of said sum to said Havens || he, the said Eliot, executed to said Havens a good, ample and authentick deed of a certain lot of land with a dwelling-house thereon, situate and being on the east side of Stonington Harbour in said county of New London, butted and bounded as per deed &c., and the said Havens then and there duly executed a bond to said memorialist, on the penalty of one hundred and fifty pounds, lawful money, conditioned for the reconveyance of said premises by the 22d of October then next, upon the repayment of said principal monies; and that whereas the said Havens being since deceased, and his heirs living out of the Colony and some under age &c.; praying this Assembly to order, impower, authorize and enable, Thomas Mumford of said Groton, administrator on said Havens' estate, to reconvey said premises to said Eliot upon his, said Eliot's, repaying said purchase money aforesaid; as per memorial on file &c.: Resolved by this Assembly, that the said Thomas Mumford, administrator aforesaid, be ordered and impowered, and he is hereby ordered and impowered, to reconvey said premises to said memorialist, upon the payment of the purchase money aforesaid, by his deed under hand and seal by him, said Mumford, administrator aforesaid, well executed to said Eliot, his heirs &c., which being duly acknowledged and recorded, as the law directs, shall be good evidence of the title of said premises.

Upon the memorial of the inhabitants of the town of Union against the town of Ashford, representing that a certain line formerly run by Mr. Josiah Conant for the north line of said town of Ashford had been established by the General Assembly for the north line of said town, [and consequently to be the south line of said town] of Union; further representing that the same was done by mistake, the true line being a line before that time run by Colo. Allyn, terminating at the northwest corner of said township of Ashford at a place called Kimberly's Corner; praying to have said establishment of said Conant's line set aside &c., as by the memorial on file: Resolved by this Assembly, that Erastus Wolcott, Zebulon West and Jabez Fitch, Esq^{rs}, be and they are hereby appointed a committee with full power to enquire into the several matters in said memorial alledged and set forth, and make report of what they shall find with their opinion thereon to this Assembly at their next sessions.

Upon the memorial of John Wilcox and others, the inhabitants of the society of Westfield in the town of Middletown in the county of Hartford, presented to the General Assembly in

May, 1767, representing that the stake for building a meeting-house in said parish was unjustly fixed; praying for a committee to view said society and all circumstances, and to affix a place for building a meeting-house in said parish: a committee was appointed by the Assembly in May aforesaid, who have made report to this Assembly, which is accepted: Resolved by this Assembly, that the place affixed by John Pitkin, Esq^r, of Hartford in the county of Hartford, Joshua West, Esq^r, of Lebanon in Windham county, and William Hillhouse, Esq^r, of New London in New London county, a committee appointed in May sessions, 1767, for building a meeting-house in said West Field parish, on the southwest corner of Joseph Clark jun'r's lot, west of said Clark's dwelling-house, so as to include the stake within the cills, shall be and the same is hereby fixed and established to be the place for building a meeting-house in said society of Westfield.

Upon the memorial of Joseph Spencer of East Haddam, representing to this Assembly that the memorialist had a twenty-shilling bill of the emission of this Colony that with interest thereon last May was equal to twenty-five shillings, lawful money, and that said bill while owned by him in said May was consumed to ashes, and that further, that one Samuel Fuller jun. of said East Haddam then owned a five-shilling bill emitted on said Colony with interest thereon equal to six shilling and three pence, lawful money, and that said last-mentioned bill was also burnt together with the other said bill, and that the said Fuller desired the said memorialist to make application on account of his said bill &c.; praying that the said two sums of twenty-five shillings and six shillings and three pence may be paid to the memorialist out of the public treasury &c., as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony be ordered and he is hereby ordered, to pay out of the public treasury to the memorialist the sum of thirty-one shillings and three pence, money, and the memorialist deliver six shillings and three pence thereof to him, the said Fuller.

[304] Upon the memorial of Daniel Osborn, of Fairfield in Fairfield county, conservator over Thaddeus Osborn of said Fairfield, shewing to this Assembly that said Thaddeus Osborn has been for many years, and now is, distracted and so far deprived of his reason as to be uncapable of supporting himself, and that he has considerable estate in said Fairfield, consisting of a dwelling-house, barn and about twenty acres of land, with right in his mother's thirds or dower, and that the said buildings and lands are so situated as to yield but a very

small rent, and that the said buildings and the fences inclosing said lands are now in a wasting condition, and so far out of repair that it would take not only the rents but a considerable part of the principal to put them in repair; thereupon praying that all the real estate of the said Thaddeus may be sold, and the monies arising on such sale be deposited in the hands of some proper person, to be improved for the support of said Thaddeus, as per memorial on file: Whereupon it is resolved by this Assembly, that the memorialist together with David Burr, Esq^{r}, have liberty, and they are hereby fully authorized and impowered, to sell all the real estate of said Thaddeus Osborn and said buildings, and the monies arising on such sale shall by them be improved for the maintenance of said Thaddeus from time to time as his circumstances shall require; and that they shall from time to time render an account thereof to the county court in Fairfield county, in the same manner as said conservator by law was heretofore bound to do.

Upon the memorial of George Beckwith &c., ministers of the western association in New London county, representing to this Assembly that the second church and society in Lyme in said New London county have, for about six years now last past, been destitute of a regular gospel ministry and the regular and steady administration of gospel ordinances; praying this Assembly to take the case of said church and society into consideration, and to afford to them such relief as they shall judge just and reasonable &c., as per memorial on file: Resolved by this Assembly, Colo. Hezekiah Huntington, Colo. Joseph Spencer and Maj. William Williams be, and they are hereby appointed, a committee to repair to said society and to notifie all parties to appear before them, and to hear them on all the matters contained in said memorial, and to make report of what they shall find with their opinion thereon to this Assembly at their sessions in Hartford in May next.

Upon the memorial of Thomas Day, David Forster, Thomas Pardy and others, inhabitants in the easterly part of the town of Sharon, praying that they [may be] made and constituted a distinct ecclesiastical society &c., as per memorial on file: Resolved by this Assembly, that Jabez Hamlin, William Pitkin jun., and Joseph Spencer, Esq^{rs}, be and they are hereby appointed a committee, to repair to said town of Sharon, to view and consider of the circumstances of said town and the expediency of a new society in said town, and of a line of division that may be proper for said society, and their report make to this Assembly at their sessions in May next.

Upon the memorial of Loiss Belding, executrix of the last will and testament of Joseph Belding late of Weathersfield, deceased, shewing to this Assembly that the debts and charges due from the estate of said deceased, for which no certificate heretofore has been given, surmount the moveable estate of the said deceased the sum of £100 0*s*. 0*d*. lawful money; praying for liberty to sell so much of the real estate of said deceased as will raise the sum of £100 0*s*. 0*d*., as per memorial on file: Resolved by this Assembly, that Capt. Jonathan Belding of said Weathersfield, together with the memorialist, be appointed, and they are hereby appointed and impowered, to sell so much of the real estate of said deceased as will raise the sum of £100 0*s*. 0*d*. lawful money, with incident charges arising thereon; taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Daniel Ely and others, owners of lands adjoyning to Eight Mile River in Lyme, shewing to this Assembly that no person can set any seine across the channel of said river or in any other way obstruct the course of fish up said river with[out] incurring the penalty of ten pounds by law provided in such cases, whereby no fishery can be carried on in said river, and the public advantage is thereby lost as well as private property injured; praying that a committee [305] might be ‖ appointed to view the places used in said river for fishing, and be impowered to make such regulations therein as they shall judge most expedient &c., as per memorial on file: Resolved by this Assembly, that Mr. Jeremiah Chapman of New London, John Tully and John Shipman, Esq^rs, of Saybrook, be and they are hereby appointed a committee, to repair to said Eight Mile River and view the circumstances of the fishery there and all places adjoyning to said river which may be useful in taking fish, and report to the Assembly in their sessions in May next, with their opinion thereon, and to make such regulations as they shall judge best for the carrying on the fishery in said river in the meantime: all at the expence of said memorialists.

Upon the memorial of John Starr and others, selectmen of the town of Danbury, shewing to this Assembly that they have for some years past taken under their care the estate of Aaron Knapp jun., an inhabitant of said Danbury, being a shiftless and an imprudent person, to prevent his squandering away his estate, and that the debts against the said Aaron or his estate, contracted by the allowance of said selectmen for the support of the wife and children of said Aaron, with some other debts justly due from said Aaron before his estate taken

under the care of said selectmen, surmounts all the rents of the said Aaron's land the sum of £12 0*s.* 4*d.*, and there is no personal estate to pay the same or any part thereof, and thereupon praying for liberty to sell so much of the real estate of the said Aaron as to satisfie said sum with incident charges arising thereon, as per memorial on file: Whereupon it is resolved by this Assembly, that liberty be granted, and liberty and authority is hereby granted to the said selectmen, or any two of them, to sell so much of the real estate of the said Aaron Knap jun. as will be sufficient to satisfie the sum of £12 0*s.* 4*d.* lawful money, together with incident charges arising on said sale.

Upon the memorial of Elijah Smith and others, inhabitants of the first, second and third parishes in Lyme, shewing to this Assembly that they have many years soberly dissented from the way of worship established in this Colony, and soberly and conscientiously believe and practice the principles of the people called Baptists &c.; praying to be made a distinct ecclesiastical baptist society &c., as per memorial on file: Resolved by this Assembly, that Hezekiah Huntington, Joseph Spencer, Esq[rs], and Maj. William Williams be, and they are hereby appointed, a committee to repair to said town and parishes, view their circumstances, and in general to enquire into every matter and thing relative to the matters complained of in said memorial, and to report to this Assembly at their sessions in May next, with their opinion what will be most expedient to be done thereon.

Upon the memorial of Joseph Gilbert, Moses Parsons and Ebenezer Deming, all of Farmington in the county of Hartford, representing that the lands whereon they live and are settled are within the first ecclesiastical society in said Farmington, but about half a mile north from the north line of the parish of New Cambridge in said town of Farmington, except a small part of said Gilbert's farm, which is within the said parish of New Cambridge; that they are more than seven miles from the meeting-house in said first society and within three miles of that at said New Cambridge; praying to be annexed to said parish of New Cambridge: Resolved by this Assembly, that the said Joseph Gilbert, Moses Parsons and Ebenezer Deming, with their estates and families, be severally and respectively annexed to the said parish of New Cambridge, and that for the future they shall have and enjoy the same priviledges and immunities that the rest of the inhabitants of said society by law are entituled to.

Upon the memorial of Elizabeth Oveat, administratrix on

the estate of Giles Oveat late of New Milford, deceased, shewing to this Assembly that the debts, charges and allowances exhibited and allowed against said estate surmount the moveable part of said estate the sum of £16 1*s*. 2*d*., and praying for liberty to make sale of the real estate of said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the memorialist and John Oviet of said New Milford have liberty, and they are hereby impowered, to make sale of so much of the real estate of the said deceased as to make the sum of £16 1*s*. 2*d*. lawful money, with incident charges arising thereon; taking the direction of the court of probate for the district of Woodbury therein.

[306] Gideon Johnson, of Derby in the county of Newhaven, representing to this Assembly that he was appointed conservator of Ichabod Johnson of said Derby, an idiot, by the county court held at Newhaven on the first Tuesday of January last, and that the said Ichabod was at that time in debt the sum of £4 10*s*. 5*d*. lawful money, and that the said Ichabod had no estate but lands, and that the whole of said land lyes in two pieces, and that it will much incommode either piece to sell a part thereof &c.: Resolved by this Assembly, that the said Gideon Johnson have liberty, and liberty is hereby granted to the said Gideon Johnson, to sell that piece of said Ichabod's land that contains twenty-five acres: he giving good security to said town of Derby for the support of said Ichabod, so far as the avails of said lands shall go, to the acceptance of the selectmen of said Derby.

Upon the memorial of Timothy Baldwin of Derby and Andrew Baldwin of Milford, executors of the last will and testament of Timothy Baldwin late of Milford, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £48 18*s*. 5*d*. lawful money, and no provision is made by said will to pay said debt; praying liberty to sell so much of the real estate of the deceased as shall pay said debt &c.: Resolved by this Assembly, that the aforesaid Timothy Baldwin and Andrew Baldwin have liberty, and liberty is hereby granted, to sell so much of the real estate of the said deceased Timothy Baldwin as shall pay and satisfie the aforesaid sum of £48 18*s*. 5*d*. lawful money, with incident charges arising thereon; taking the advice of the court of probate for the district of Newhaven therein.

Upon the memorial of Nathaniel Matson jun., administrator on the estate of Daniel Ely jun., late of Lyme, deceased, shewing to this Assembly that the debts and charges exhibited and allowed by the court of probate for the district of

New London against the estate of said deceased surmount the personal estate of said deceased together with a former order for the sale of part of the real estate the sum of £29 13*s*. 7*d*.; praying for liberty to sell so much more of the real estate of said deceased as will raise said sum &c., as per memorial on file: Resolved, that said administrator have liberty, and liberty and authority is hereby granted to said administrator, to sell so much of the real estate of the said deceased as will raise the sum of £29 13*s*. 7*d*. with the incident charges arising on such sale; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Sevignion Lewis, Beach Lewis, Thomas Lewis and Ebenezer Lewis, all of the society of Ripton in Stratford, representing to this Assembly that they live at a great distance from the meeting-house in said Ripton, and near to the place of public worship in the society of New Stratford, where they generally attend; praying to be set off and annexed with their families and estates to the said society of New Stratford: Resolved by this Assembly, that the memorialists with their families and estates be and they are hereby annexed to said society of New Stratford.

Upon the memorial of Prudence Merriman, administratrix on the estate of Nathaniel Merriman jun., late of Wallingford, deceased, shewing to this Assembly that the debts and charge allowed against the estate of said deceased by the court of probate for the district of New Haven, including some allowance to the widow, surmount the whole inventoried estate the sum of £121 19 5, and praying for liberty to sell so much of the real estate of said deceased as may be sufficient to raise said sum &c.: Resolved by this Assembly, that the memorialist have liberty, and liberty and authority is hereby granted to her, to sell so much of the real estate of said deceased as may be sufficient to raise said sum of £121 19*s*. 5*d*. with the incident charges arising on such sale; taking the direction of the court of probate for the district of Newhaven therein.

Upon the memorial of Matthew Hubbel and Margaret Hickcox, administrators on the estate of Samuel Hickcox late of Woodberry, deceased, shewing to this Assembly that there hath been further debts exhibited and allowed against said estate since liberty obtained by this Assembly in May last for the sale of real estate for payment of debts, to the amount of £20 16 6, and praying for liberty to make sale of so much of the real estate of said deceased as to make said sum &c., as per memorial on file: Resolved by this Assembly, that the said Mathew Hubbel have liberty, and he is hereby impowered, to make sale of so much of the real estate of the said deceas-

ed as to make said sum of £20 16 6, lawful money, with incident charges arising thereon; taking the advice of the court of probate for the district of Woodberry therein.

On the petition of Solomon Wadham, of Goshen in Litchfield county, *vs.* Ralph Isaacs, of Newhaven in Newhaven county, as on file: The question was put, whether the instrument purporting a discharge from the petitioner laid in and objected on the part of the respondent against proceeding or further hearing on the subject matter of said petition is sufficient for that purpose: Resolved in the affirmative.

[307] Upon the memorial of Timothy Cleaveland jun., conservator to his father Timothy Cleaveland, shewing to this Assembly that during the time of his being conservator as aforesaid he has been necessarily obliged to expend the sum of £116 11*s.* 0*d.* lawful money, for the necessary support of his said father and family and in paying his said father's debts, and that his accompts and charges hath by the adjourned county court held at Windham on the 3d Tuesday of February, 1767, been allowed and approved of, as that the said Timothy Cleaveland sen. hath no moveable estate to pay and satisfie the same; praying for liberty to sell and dispose of so much of the real estate of the said Timothy Cleaveland sen. as to amount to said sum of £116 11*s.* 0*d.* with incident charges arising on such sale, as by said memorial on file may fully appear: Resolved by this Assembly, that Aaron Cleaveland of Canterbury have liberty, and liberty and authority is hereby granted to said Aaron Cleaveland, to sell and dispose of so much of the real estate of the said Aaron [*sic.*] Cleaveland sen. as to pay and satisfie said sum of £116 11*s.* 0*d.* lawful money, with the incident charges arising on such sale.

Upon the memorial of Levi Clinton, administrator on the estate of Capt. Ebenezer Trowbridge late of New Haven, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate for the district of Newhaven against said estate surmount the whole moveable estate £66 19*s.* 8*d.* lawful money, and praying for liberty to sell so much of the real estate of said deceased as to raise said sum &c.: Resolved by this Assembly, that the memorialist have liberty and he is hereby impowered, to sell so much of the said real estate as to raise said sum together with the incident charges thereon arising; taking the directions of the court of probate for said district therein.

On the memorial of Lydia Burton, administratrix on the estate of Daniel Burton late of Middletown in said Colony, deceased, shewing to this Assembly that the debts and charges due from said estate and allowed by the court of probate for

the district of Midletown surmount the moveable part thereof the sum of £30 1*s*. 10*d*. lawful money, &c.: Resolved by this Assembly, that the memorialist have liberty and she is hereby fully authorized and impowered, to sell so much of the real estate of the said deceased as will procure the aforesaid sum of £30 1*s*. 10*d*. together with the incident charges arising on such sale; taking the directions of the court of probate for the district of Midletown therein.

On the memorial of Joseph Higby of Midletown, administrator on the estate of Isaac Higby late of said Midletown, deceased, shewing to this Assembly that the debts and charges due from said estate and allowed by the court of probate for the district of Midletown surmount the moveable estate of said deceased the sum of £45 2*s*. 0*d*. lawful money, and thereupon praying for liberty to sell real estate &c.: Resolved by this Assembly, that the memorialist have liberty, and he is fully hereby authorized and impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £45 2*s*. 0*d*. together with the incident charges arising on such sale; taking the directions of the court of probate for the district of Midletown therein.

On the memorial of Elijah Wright, the only surviving executor of the last will and testament of Capt. Timothy Wright late of Weathersfield, deceased, shewing to this Assembly that the debts and legacies due from the estate of said deceased surmount the moveable estate of said deceased the sum of £302 17*s*. 0¾*d*. lawful money, for the payment whereof he hath no moveable estate, and praying for liberty to sell so much of the real estate of said deceased as will raise the said sum of £302 17*s*. 0¾*d*. lawful money, as per memorial: Resolved by this Assembly, that the memorialist be and he is hereby fully impowered and authorized, to sell so much of the real estate of said deceased as will raise the said sum of £302 17 0¾. lawful money, together with the incident charges of such sale: taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Mary Andrus, administratrix on the estate of David Andrus late of Norwich in Newlondon county, deceased, shewing to this Assembly that the debts and charges allowed by the court of probate in the district of Norwich, with some allowance for necessaries allowed to the widow, surmount the inventoried personal estate the sum of £474 17*s*. 3*d*., and praying for liberty to sell real estate sufficient to pay and discharge the same, as per memorial on file: Resolved by this Assembly, that the memorialist, to-

gether with Elisha Fitch of Norwich, Esq^r, have power and they are hereby fully authorized and impowered, to sell so much of the real estate of the said deceased as to enable the said administratrix to pay and discharge the said sum of £474 17*s*. 3*d*, and the incident charges arising on such sale; taking the direction of the court of probate in the district of Norwich therein.

Upon the memorial of William Cadey jun. and Jeremiah Cadey, both of Plainfield, administrators on the estate of William Williams late of said Plainfield, deceased, shewing to this Assembly that the debts, charges &c. against the estate of said deceased amounts to the sum of £270 19*s*. 0*d*. law- [308] ful ‖ money, and that the personal estate of said deceased amounts to no more than the sum of £166 5*s*. 3*d*. lawful money, so that the debts &c. surmount the said personal estate the sum of £104 13*s*. 9*d*. lawful money; praying to this Assembly for liberty to sell so much of the real estate of said deceased as to pay the said sum of £104 13 9, lawful money, with the necessary charges arising thereon: Resolved by this Assembly, that the said administrators have liberty, and liberty is hereby granted to them and they are hereby impowered, to sell so much of the real estate of said deceased as to pay the sum of £104 13 9, lawful money, with the necessary charges arising thereon; taking the direction of the court of probate for the district of Plainfield therein.

Upon the memorial of Elisha Minor, administrator on the unadministred estate of Samuel Minor late of Lyme, deceased, shewing to this Assembly that the debts and charges due from said estate and allowed by the court of probate for the district of New London surmounts the personal inventoried estate of said deceased, amounts to the sum of £16 3*s*. 2½*d*., and that the whole real estate of said deceased amounts to £22 9*s*. 0*d*. and no more, and is so circumstanced as that it cannot be disposed of for the value thereof unless the whole be sold; praying for liberty to sell the whole of the real estate of said deceased, as per memorial on file: Resolved by this Assembly, that liberty be given, and liberty and authority is hereby given to said administrator, to sell the whole of the real estate of said Samuel, deceased, upon his giving sufficient bond to the judge of probate for Newlondon district, that whatever sum shall be remaining in his hands after paying the said debts and charges and the incident charges of such sale shall be paid to the heirs and legal representatives of said Samuel, deceased.

Upon the memorial of Jasper Peck, of Lyme in Newlondon county, administrator on the estate of Benjamin Robins late of said Lyme, deceased, shewing to this Assembly that the debts allowed by the court of probate for the district of Newlondon due from the estate of said deceased, together with the charges on said deceased's estate allowed by said court, amount to the sum of £17 13*s.* 10*d.*, and that the whole inventoried estate of the said deceased amounted to the sum of £19 18*s.* 0*d.*, being all real estate; praying for liberty to sell so much of the real estate of said deceased as shall amount to the sum of £17 13*s.* 10*d.* lawful money, with incident charges arising on such sale, to enable him to pay and discharge the aforesaid debts due from said deceased's estate: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much of the deceased's real estate as shall amount to the sum of £17 13*s.* 10*d.* lawful money, with the incident charges arising on such sale, to enable him to pay and discharge the debts aforesaid; taking the direction of the court of probate for the district of New London therein.

Upon the memorial of Titus Hurlburt of New London, praying this Assembly to order and direct the Treasurer to pay said memorialist the sum of £8 16*s.* 0½*d.* lawful money, which he had expended in procuring a flag for the Newlondon battery &c., as per memorial on file: Resolved by this Assembly, that the Treasurer of this Colony pay unto said Hurlburt said sum out of the Colony treasury.

On the petition of Benjamin Smith, Abraham Smith, Gershom Wheeler, Isaac Smith and David Fox, all of Glastonbury in the county of Hartford, *vs.* John Russel, of Weathersfield in said county, as on file: The question was put, whether anything should be granted therein: Resolved in the negative. *Cost allowed respondent is* £2 6 8, *lawful money. Ex. granted Decem.* 15, 1767.

On the petition of Joel Wetmore, Jonath. Case jun. and Roswell Case, all of Torrington in the county of Litchfield, *vs.* Epaphras Sheldon of said Torrington, Esq^r, as on file: The question was put, whether in proceeding to and rendering the judgment complained of manifest error did intervene: Resolved by this Assembly in the negative. *Cost allowed respondent is* £2 3*s.* 6*d.* *Ex. granted Oct.* 30*th*, 1767.

On the petition of Elihu Deforest and Clap Raymond, both of Norwalk in Fairfield county, *vs.* Eliphalet Beecher, of Newhaven in the county of Newhaven, as on file: The question was put, whether the prayer of said petition should be granted:

Resolved by this Assembly in the negative. *Cost allowed respondent is* £1 15*s*. 10*d*. *Ex. granted Oct. 30th*, 1767.

[309] The Lists of the Polls and Rateable Estate in the several Towns in this Colony as returned to the General Assembly October, 1767, viz:

	£	*s*.	*d*.		£	*s*.	*d*.
Hartford,	40044	13	4	Windsor,	47203	11	3
Farmington,	55624	13	0	Hebron,	22131	0	0
Weathersfield,	31253	9	2	Enfield,	10606	11	0
Symsbury,	25869	0	0	Tolland,	12344	3	6
Glastonbury,	15120	0	0	Sommers,	8086	18	0
Hadam,	15048	3	6	Bolton,	9296	3	0
Suffield,	18853	17	0	Stafford,	9412	1	0
East Hadam,	25837	7	6	Midletown,	60500	4	9
Colchester,	30809	1	6	Willington,	7059	13	6
New Haven,	60691	0	9¾	Guilford,	33391	5	6
Wallingford,	48037	17	1½	Derby,	16554	19	9
Branford,	24014	7	9½	Durham,	11496	4	6
Milford,	26873	2	6	Waterbury,	30660	17	9
New London,	34408	8	0	Norwich,	64549	12	4
Stonington,	36447	15	2	Groton,	25947	11	4½
Lyme,	25915	13	11	Preston,	24434	8	6
Saybrook,	24443	17	2	Killingworth,	17866	5	7
Fairfield,	50134	1	5	Stamford,	32135	17	4
Stratford,	47253	0	0	Norwalk,	40154	0	3½
Newtown,	21196	7	8	Danbury,	24260	5	8
Ridgefield,	16164	8	5½	New Fairfield,	11361	4	0
Greenwich,	20743	13	0	Redding,	12440	8	11¾
Windham,	29882	14	0	Canterbury,	18058	18	11
Lebanon,	39755	9	0	Coventry,	22382	15	11
Killingly,	24960	15	0	Plainfield,	12993	1	0
Mansfield,	19394	19	9	Pomfrett,	24462	0	0
Voluntown,	11665	12	0	Woodstock,	19300	0	0
Ashford,	15274	13	10	Litchfield,	19655	17	6
Sharon,	13957	14	6	Harwinton,	6246	10	0
Woodberry,	48024	13	7	Kent,	14600	0	0
Canaan,	12227	12	0	New Hartford,	6564	16	4
Cornwall,	6553	3	6	Salisbury,	15033	12	6
Goshen,	10588	6	0	New Milford,	21091	0	0
Torrington, west side,	5253	17	2				

Upon the petition of John Mallet jun. and Seth Porter, both of Stratford in Fairfield county, against Peter Mallet and Mary Mallet, both of Stratford aforesaid, as they are executors of the last will and testament of Peter Mallet late of Stratford aforesaid, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Isaiah Brown and Mehitabel his wife, and others named in said petition on file, dated Septem. 30th, 1767, against Robert Fairchild, of Stratford in the county of Fairfield, Esqr, one of the principal proprietors of the common and undivided lands in said Stratford, and the rest of the said proprietors: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is* £4 4*s.* 7*d. lawful money.*

On the petition of Ebenezer Clark, of Newhaven in the county of Newhaven, against Susanna Lewiss of said Newhaven, administratrix on the estate of Barnabas Lewis late of said Newhaven, deceased, and Samuel Mansfield of said Newhaven, and Elisha Whittelsey of Wallingford in said Newhaven county, as on file: The question was put, whether the pleas offered on the part of said Susannah, one of the respondents, in abatement of said petition are sufficient to abate the same so far as she, the said Susannah, is affected thereby: Resolved by this Assembly in the affirmative. *Cost allowed to said Susannah, one of the respondents, is* £1 2*s.* 0*d. lawful money. Ex. granted accordingly, Oct.* 30*th*, 1767.

[310] On the petition of Abraham Curtiss and Amos Hard, both of Newtown in the county of Fairfield, as on file, dated May 6th, 1767, by continuance &c., against Mary Mallet, Peter Mallet, and others named in said petition: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Freegrace Adams, of Suffield in the county of Hartford, against Handerson Inches, of Boston in the county of Suffolk in the Province of the Massachusets Bay, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative.

On the petition of Isband Negro, a servant, of Newhaven in the Colony of Connecticut, against Gideon Wheeler, of Stratford in the county of *Newhaven* [Fairfield], as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Samuel Richards, of Norwalk in the county of Fairfield, against Henry Waring, late of Stamford now of Greenwich in the said county of Fairfield, as on file, dated August 26th, 1767: The question was put, whether the demurrer exhibited by the respondent to the said petition should be admitted and the parties heard thereon accordingly:

Resolved by this Assembly in the affirmative. The said petitioner then withdrew his petition. *Cost allow'd respondent is £2 1s. 0d. lawful money. Ex. granted October 30th*, 1767.

Resolved by this Assembly, That the Treasurer of this Colony be directed to attend the Assembly at Newhaven on Thursday the 29th of October instant, furnished with money to pay the members thereof.

This Assembly grants to his Honour the Governor the sum of one hundred and fifty pounds, lawful money, for the last half of his salary the current year.

This Assembly grants to his Hon^r the Deputy Governor the sum of fifty pounds, lawful money, for the last half of his salary the current year.

The accompt exhibited by Mr. Timothy Green, printer, amounting to the sum of £7 1*s*. 3*d*. lawful money, is allowed, and the Treasurer of the Colony is ordered to pay the same accordingly.

Resolved by this Assembly, That there be paid to Mr. Thomas Green out of the public treasury of this Colony the sum of six pounds twelve shillings and ten pence, for printing the election sermon preached before the General Assembly in May last, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the petition of Abel Forward of Symsbury and Hannah his wife, Thomas Spencer and Rebeccah his wife, Joel Harman, Rachel Harman, Ruth Harman, Lydia Harman and Cephas Harman, all of Suffield, children and heirs, except said Hannah, of Rebeccah Harman late of said Suffield, deceased, James Harman and Keziah Harman his wife, of said Suffield, Jacob Gillet of Windsor and Lydia his wife, and Simeon Ward of Pelham and Elizabeth his wife, in the Province of the Massachusets Bay, against Joseph Phelps, Elijah Phelps and Ezekiel Phelps, of Symsbury, the only acting executors of the last will and testament of Joseph Phelps late of Symsbury, deceased, and Mary Clark, *alias* Mary Phelps, of said Symsbury, preferred to this Assembly, representing that in consequence of a decree of this Assembly obtained by the said Joseph Phelps and Hannah his late wife in their life time, in October, 1763, against Aaron Clark of Windsor, for £92 13*s*. 9*d*. and costs £13 4*s*. 7*d*., execution had been levyed, after the death of said Joseph and before the death of said Hannah, on three certain pieces of the said Aaron's land in satisfaction of said demand, whereby a legal title was made unto her the said Hannah, and that she since by her last will had given the

same to the said Mary, daughter of the said Aaron, when the same, as is alledged, ought to be considered as a debt and duty due and owing to the said Joseph Phelps, deceased, and so passed to the petitioners by force of his last will; praying to have said estate decreed to them &c., as by the petition on file: Resolved by this Assembly, that Josiah Bissel and Hezekiah Humphrey, Esq[rs], and Capt. Nathaniel Loomiss be, and they are hereby appointed, a committee with full power to inquire into the several matters alledged and set forth in the said petition, and make report of what they shall find, with their opinion thereon, to this Assembly at their next sessions.

October 30th, 1767. This Assembly is adjourned until the Governor, or in his absence the Deputy Governor, shall see cause to call it to meet again.

Test. GEORGE WYLLYS, Secret'y.

ERRATA.

Page 188, line 12 from bottom, *for* Hunington *read* Huntington.

Page 241, line 21 from bottom, *for* Nathan Rockwell *read* Matthew Rockwell.

Page 295, line 21 from bottom, *for* David Sherman *read* Daniel Sherman.

REASONS

WHY

The *BRITISH* COLONIES,

IN

AMERICA,

SHOULD NOT BE CHARGED WITH

INTERNAL TAXES,

BY AUTHORITY OF

PARLIAMENT;

HUMBLY OFFERED,

For CONSIDERATION,

In Behalf of the COLONY of

CONNECTICUT.

NEW-HAVEN:
Printed by B. MECOM. M,DCC,LXIV.

REASONS &c.

BY the Constitution, Government and Laws of *Great Britain*, the *English* are a Free People. Their Freedom consists principally, if not wholly, in this general Privilege, that "No Laws can be made or abrogated, without their Consent, by their Representatives in Parliament."

By the Common Law of *England*, every Commoner hath a Right not to be subjected to Laws made without his Consent, and because such Consent (by Reason of the great Inconvenience and Confusion attending Numbers, in such Transactions) cannot be given by every individual Man in Person, therefore is the Power of rendering such Consent, lodged in the Hands of Representatives, by them elected and chosen, for that Purpose. Their Subjection, then, to their Laws, is not forced, but voluntary.

As the chief Excellency of the *British* Constitution consists in the Subject's being bound only by such Laws to which they themselves Consent, as aforesaid; and as, in order to their enjoying that Right, they are (agreeable to the Constitution) necessarily vested with the Power of electing their Representatives; so this Right or Power is a fundamental Privilege, and so essential a Part of the Constitution, that, without it, the Subject cannot be said to be free: Therefore, if he be hindered from voting in such Election, or obstructed in the lawful Use of that real Right or Privilege, a Suit will lie for him at Common Law.

None of the Privileges included in those general Rights (which in an especial Manner, denominate the *British* Subjects a free People) is maintained with greater Care and Circumspection, and of which they are more jealous, than this particular, known, approved and fixed one, that No Tax, Loan or Benevolence can be imposed on them, but with their own Consent, by their Representatives in Parliament. This Privilege is of ancient Date, and whenever it hath been encroached upon, has been claimed, struggled for, and recovered, as being essential for the Preservation of the Liberty, Property, and Freedom of the Subject: For if the Privilege of not being taxed without their Consent, be once taken from them, Liberty and Freedom are certainly gone with it. That Power which can tax as it shall think proper, may govern as it pleases; and those subjected to such Taxations and Government, must be far, very far from being a free People: They cannot, indeed, be said to enjoy even so much as the Shadow of *English* Liberties.

Upon these general and fundamental Principles, it is conceived that the Parliament (altho it hath a general Authority, a supreme Jurisdiction over all his Majesty's Subjects; yet, as it is also the high and safe Guardian of their Liberties) doth not extend its Taxations to such Parts of the *British* Dominions, as are not represented in that grand Legislature of the Nation; nor is it to be presumed that this wise and vigilant Body will permit such an essential Right, which is as the very Basis of the Constitution, in any Instance, ever to be violated. And upon the same Principles (as is apprehended) those subordinate Jurisdictions or Governments, which, by Distance, are so separated from *Great Britain*, that they are not and cannot be represented in Parliament, have always been permitted to have and enjoy Privileges similar to those of their Fellow-Subjects in the Mother Country, that is, of being subjected only to Taxations laid by the particular Legislatures, wherein they are or may be represented by Persons, by them elected for that purpose, and, consequently of not being taxed without their Consent. Thus, in *Ireland*, Taxes are laid by the Parliament of that Kingdom; and, in the Colonies or Plantations in *America*, by the several Assemblies or Legislatures therein.

These being the essential Rights and Privileges of the *British* Constitution, founded on the Principles of the common Law, tho, in diverse Respects, particularly regulated by sundry Statutes, *The King's Subjects in the Plantations*, claim a general Right to the Substance and constitutional Part of them, as their Birthright and Inheritance. This claim is founded on such considerations as follow, *viz* :

1*st*. The People in the Colonies and Plantations in *America*, are really, truly, and in every Respect, as much the King's Subjects, as those born and living in *Great Britain* are. "All Persons born in any Part of the King's Dominions, and within his Protection, are his Subjects; as all those born in *Ireland*, *Scotland*, *Wales*, the King's Plantations, or on the English Seas; who, by their Birth, owe such an inseparable Allegiance to the King, that they cannot, by any Act of theirs, renounce or transfer their Subjection to any foreign Prince." 4 *Bac.* 166.

2*dly*. All the King's Subjects, both in *Great Britain* and in the Colonies and Plantations in *America*, have Right to the same general and essential Privileges of the *British* Constitution, or those Privileges which denominate them to be a free People.

As Protection necessarily demands and binds to Subjection and Obedience to that Authority and those Laws whereby a People are protected; so Subjection and Obedience as necessarily and justly intitle to Protection: These mutually imply, require, and support each other. The King, as political Head of his Subjects, stands equally related to them, in that Capacity, and is as really obligated to protect one Subject as well as another; and as he has an Interest in all his Subjects, so they have an Interest in him, regulated according to the political Constitution. Though the particular and

formal Parts of the Governments of the Colonies may be various one from another, and diverse from that of *Great Britain*, and such Diversity of Forms or Establishments necessarily arise from their different Situations and Circumstances; yet both Law and Equity agree, in this general Principle that All the King's Subjects ought to be supported and protected in their Rights and Liberties, and especially in such as are fundamental and essential to their Freedom. The Subjects in *Great Britain* are under no greater or stronger Obligations of Submission and Obedience to the Crown, than those in the Colonies are; and, surely, if the Colonists are under the same Obligations to Submission and Obedience with other their Fellow Subjects, it will not be easy to shew, that they have not the same Right to be protected and secured in the Enjoyment of every just and legal Privilege.

Though the Subjects, in the Colonies, are situate at a great Distance from their Mother Country, and, for that Reason, cannot participate in the general Legislature of the Nation, nor enjoy some particular formal Immunities possessed by those at Home; yet, as they settled, at this Distance, by Royal Licence and under national Encouragements, and thereby enlarged the *British* Dominions and Commerce, which add Riches and Strength to the Nation; and as they brought with them, and constantly claimed, the general Principles, those fundamental Principles, which contain the Essence and Spirit of the common Law of the Nation; it may not be justly said they have lost their Birth-Right, by such their Removal into *America;* for to suppose that those Settlements, that the Performance of such important and public Services, should be prejudicial to the Claim of the Colonies to the general Privileges of *British* Subjects, would be inconsistent both with Law and Reason, would naturally lead to unjust and absurd Conclusions, inasmuch as those public national Advantages would not have been promoted, unless some of the King's Subjects had planted, settled and dwelt in his Colonies abroad: And yet, that such planting, settling and living, should subject the Inhabitants to the Loss of their essential Rights as *Englishmen*, would be to reward great, public and meritorious Services with great and unspeakable Losses and Disadvantages: And how inconsistent such Measures and Principles are with the Honour and Justice of the *British* Crown and Government, may well deserve Consideration. It therefore seems apparent that the King's Subjects in the Plantations have a Right, and that it is for the Honour of the Crown and the Law, that they should have a Right, to the general and essential Privileges of the *British* Constitution, as well as the rest of their Fellow-Subjects. And with regard to the Colony of *Connecticut*, in particular, there can be no Question of its having such Right, as these general Privileges and Immunities are fully and explicitly granted and declared to belong to them, by the Royal Charter of Incorporation given to the said Colony by King *Charles* the Second, in the fourteenth Year of his Reign, in which is contained this Paragraph, *viz.* "And further

Our Will and Pleasure is, and We do for Us, Our Heirs and Successors, Ordain, Declare and Grant, unto the said Governor and Company, and their Successors, that all and every the Subjects of Us, Our Heirs or Successors, which shall go to inhabit within the said Colony; and every of their Children which shall happen to be born there, or on the Seas in going thither or returning from thence, shall have and enjoy all Liberties and Immunities of free and natural Subjects, within any of the Dominions of Us, Our Heirs or Successors, to all Intents, Constructions and Purposes whatsoever, as if they, and every of them, were born within the Realm of *England*." Now, whether these Words are to be understood only as declarative of the Principles of the ancient Common Law of *England*, and of the common Rights of *Englishmen*, settled by Royal Licence, and under the Protection of the Crown, in a Colony or Plantation abroad, and so evidential of the Rights and Immunities belonging to all the King's Subjects in *America;* or whether they are to be considered as a Grant and Confirmation of such Privileges and Immunities to His Majesty's Subjects of the Colony of *Connecticut* in particular, they equally evince (as far as a Royal Declation and Grant can operate to that Purpose) the Truth of what is here pleaded for, so far as respects the People of the said Colony. Indeed these Words (on the general Principles of the Common Law) ought (as is apprehend) to be construed as containing a full Declaration of the Rights of the Subject, and, in order to remove all Doubts about the same, a Confirmation of them is annexed to or joined therewith. It may also be further observed, that by this Paragraph can't be meant or intended that the King's Subjects, within all his Dominions, should have or be governed by the same particular and formal Laws or Regulations, because their Situations are in distant Parts of the World, and their Circumstances are so widely different, that the same particular Establishments and formal Regulations, which in one Place might be good and wholesome for the People, in another would be unwholesome, prejudicial, and by no means answer the End of Laws : But this Declaration and Confirmation denotes and imports (as is conceived) that all those general and essential Rights which the free and natural Subjects in the Mother Country are possessed of, and vested with, by Virtue of the main, leading, and fundamental Principles of the Common Law or Constitution of the Realm, the King's Subjects, in the said Colony of *Connecticut*, shall have and enjoy, to all Intents, Constructions and Purposes whatsoever, that is, in such Plenitude as always to be, and ever to be treated as free and natural Subjects.

3*dly*. In order that the King's Subjects in the Colonies and Plantations in *America*, might have and enjoy the like Liberties and Immunities as other their Fellow-Subjects are favoured with, it was and is necessary the Colonies should be vested with the Authority and Power of Legislation; and this they have accordingly assumed and exercised, from their first regular Settlement, down to this Time, and have been constantly owned and ac-

knowledged therein, treated as having such Authority, and protected in the same by the Crown and the supreme Legislature of the Nation. Those Corporations, which by their Situation and Circumstances, are privileged with the Right of electing their Representatives to bear a proportionable Part in the general Legislature of the Nation, altho they may be vested with Authority to make By Laws and Regulations, within their own Jurisdictions, agreeable to the Bounds and Limits of the Charters which institute and give them Existence, indeed are, and ought to be, immediately subject to the Laws, Orders, and Taxes of such general Legislature, as well as others, and that even without being expressly named, for this obvious and solid Reason, because they are legally represented therein: But with regard to those Corporations or Governments, which, by their Distance and Situation, have no possible Opportunity of such a Representation, the Case is far otherwise. Whenever, therefore, Acts are formed by the supreme Legislature, that are, in any Respect, to extend to the Governments abroad, they are made to be so extended by express Words; and even such as are so extended to Subjects who are not admitted a Representation, or to bear a Part in the Legislation, may not improperly be said to be *sovereign Acts*, or Acts supported by the sovereign Dominion of the Makers of them. And as the Exercise of such sovereign Authority may be said (as is humbly conceived) to be, in some Measure an Exception from the general Rule by which *British* Subjects (according to the Constitution) are governed, it is most justly to be presumed and relied upon that the supreme Guardians of the Liberties of the Subjects, will never extend that Authority further than may be done without depriving any of the King's Subjects of those Privileges which are essential to their Liberty and Freedom, or leave them in Possession of such Rights and Liberties. It is a clear Point that the Colonies may not, they cannot, be represented in Parliament; and if they are not vested with legislative Authority within themselves, where they may be represented by Persons of their own electing, it is plain they will not be represented in any Legislature at all, and, consquently, if they are subjected to any Laws, it must be to such as they have never consented to either by themselves or any Representatives, which will be directly contrary to that beforementioned fundamental Principle of the *British* Constitution, that "No Laws can be made or abrogated, without the Consent of the People, by their Representatives." It therefore appears that for the Crown to govern the Colonies and Plantations abroad, by and with the consent of the People represented in Assemblies or legislative Bodies, is properly and truly to govern them agreeable to the *British* Constitution of Government; and altho this may not, in every Form and Manner, be exactly similar to the Government at Home, yet, as near as the different Situation and Circumstances admit, will it agree with the fundamental Principles thereof. That the Colony of *Connecticut* (agreeable to

these general Principles) is vested with such a legislative Authority, appears by their Charter, full to that effect. By this Charter the Colony are impowered to meet in a General Assembly, consisting of a Governor or Deputy Governor, Assistants and Deputies, annually to be chosen by the Freemen: And such Assembly is vested with Authority, from time to time, to make, ordain and establish all Manner of wholesome and reasonable Laws, Statutes and Ordinances, Directions and Instructions, not contrary to the Laws of the Realm of *England;* and every Officer, appointed for putting such Laws, Ordinances *&c.* from Time to Time, into due Execution, is sufficiently warranted and discharged against the King's Majesty, his Heirs and Successors, by a special Clause, in the same Charter, express to that Purpose. By this Royal Patent it is therefore evident, that a full Power of Legislation is granted to the Colony, limited with a Restriction that they conform, or are not to act contrary to the General Principles of the Laws of the Nation, and consequently, as when they exceed the Bounds and Limits, prescribed in the Charter, their Acts will be void, so, when they conform and regulate their Acts agreeable to the Intent and Meaning of it, their Acts may properly be said to have the Royal Approbation and Assent. And these Powers, Rights and Privileges the Colony has been in Possession of for more than a Century past. This Power of Legislation necessarily includes in it, an Authority to impose Taxes or Duties upon the People for the Support of Government and for the Protection and Defence of the Inhabitants; as, without such Authority, the general Right of Legislation would be of no Avail to them. These Privileges and Immunities, these Powers and Authorities, the Colony claims, not only in Vertue of their Right to the general Principles of the *British* Constitution, and by Force of the Royal Declaration and Grant in their Favour, but also as having been in the Possession, Enjoyment and Exercise of them for so long a Time, and constantly owned, acknowledged and allowed to be just in the Claim and Use thereof, by the Crown, the Ministry, and the Parliament; as may evidently be shown by Royal Instructions, many Letters and Acts of Parliament, all supposing and being predicated upon the Colony's having and justly exercising these Privileges, Powers and Authorities: And what better Foundation for, or greater Evidence of, such Rights can be demanded or produced, is certainly difficult to be imagined.

These points being thus rendered so clear and evident, may it not thence be very justly inferred,

4*thly.* That charging Stamp Duties, or other internal Taxes on the Colonies in *America*, by parliamentary Authority, will be an Infringement of the 'foremention'd Rights and Privileges, and deprive the Colonists of their Freedom and Inheritance, so far as such Taxations extend? The charging a Tax on any particular Part of the Subject's Estates in the Plantations, by Authority of Parliament, will doubtless be found nothing less than taking from

them a Part of their Estates on the sole Consideration of their being able to bear it, or of having a sufficiency left notwithstanding. It must certainly be admitted that the People thus charged, do not consent, nor have any Opportunity so to do. An express Consent, either by themselves or Representatives, can by no Means be pretended, neither can their Consent be argued from Implication, as their Subjection and Allegiance to the Crown, are supposed to be according to the Tenor of the Laws of the Nation, for althô the King is stiled the Head of the Common Wealth, Supreme Governor, *Parens Patriæ, &c.* yet is he still to make the Law of the Land the Rule of his Government, that being the Measure as well of his Power as of the Subjects Obedience; for as the Law asserts, maintains and provides for the Safety of the King's Royal Person, Crown and Dignity, and all his just Rights, Revenues, Powers and Prerogatives, so it likewise declares and asserts the Rights and Liberties of the Subject. [4 *Bac.* 149.] Therefore, in this Case, as there can be no other implied Consent than what the general Principles of the Law or Constitution implies, or what is included in the Obligations to Submission and Obedience to Laws. And as the general, fundamental Principles of the *British* Constitution or Laws, which the *Americans* claim the Privilege of, are quite the Reverse of such Implications, and really imply and suppose the Contrary, it follows that charging such Taxes will be to take Part of their Estates from the People without their Consent, either expressed or implied; it can't be said such Charging would be founded on Contract, as it might be where the Subjects are represented in the Legislature; neither may it be founded on a Forfeiture, as there is no pretence of that Kind in these Cases; surely, then, there can be no Right either to demand or receive a Man's Estate, where both these are wanting.

If these internal Taxations take Place, and the Principles upon which they must be founded, are adopted and carried into Execution, the Colonies will have no more than a Shew of Legislation left, nor the King's Subjects in them, any more than the Shadow of true *English* Liberty; for the same Principles which will justify such a Tax of a Penny, will warrant a Tax of a Pound, an hundred, or a thousand Pounds, and so on without Limitation; and if they will warrant a Tax on one Article, they will support one on as many Particulars as shall be thought necessary to raise any Sum proposed. And all such Subjections, Burthens, and Deprivations, if they take Place with Respect to the King's Subjects abroad, will be without their Consent, without their having Opportunity to be Represented, or to shew their Ability, Disability, or Circumstances. They will no longer enjoy that fundamental Privilege of *Englishmen*, whereby, in special, they are denominated a free People. The legislative Authority of the Colonies, will, in Part, actually be cut off, a Part of the same will be taken out of their own Assemblies, even such Part as they have enjoyed so long, and esteem most dear; nay, may it not be truly said, in

this Case, that the Assemblies in the Colonies will have left no other Power or Authority, and the People no other Freedom, Estates, or Privileges, than what may be called a Tenancy at Will? that they have exchanged, or rather lost. those Privileges and Rights, which, according to the national Constitution, were their Birth-Right and Inheritance, for such a disagreeable Tenancy? Will not such Determinations amount to plain Declarations, to the Colonies, that althô they have enjoyed those Immunities and Privileges heretofore, and been acknowledged and encouraged in the Possession and Use of them, yet now they must expect, for Reasons of State, for some public Utility, to part with them, and be brought under a kind of Subjection not far from the very Reverse of that Freedom they justly claim and so highly value? May it not be enquired what Reasons are or may be assigned for so different Treatment of the Subjects of the same Most Gracious King, of the same general State or Community? May it not, upon the whole, be concluded, that charging Stamp Duties, or other internal Duties, by Authority of Parliament, as has been mentioned, will be such an Infringement of the Rights, Privileges and Authorities of the Colonies, that it may be humbly and firmly trusted, and even relied upon, that the supreme Guardians of the Liberties of the Subject, will not suffer the same to be done, and will not only protect them in the Enjoyment of their just Rights, but treat them with great Tenderness, Indulgence and Favour?

OBJECTION.

Perhaps it may be here objected, that these Principles, if allowed, will prove too much, as the Parliament, by its supreme Dominion, has a Superintendency over all the Colonies and Plantations abroad, and Right to govern and controul them as shall be thought best, and most conducive to the general Good of the Whole; and, accordingly hath passed divers Acts for regulating their Trade and Navigation, and, in other Respects, directed their Conduct, limitted the Exercise of their Authorities, *&c.*

ANSWER.

To Objections and Observations of this Kind, it may be answered, that as the Parliament of *Great Britain* is most certainly vested with the supreme Authority of the Nation, and its Jurisdiction and Power most capacious and transcendent, the Colonies will be far, very far from urging or even attempting any Thing in Derogation of the Power or Authority of that august Assembly, or pretending to prescribe Bounds or Limits to the Exercise of their Dominion; nothing in the foregoing Observations be sure, is intended, by way of Objection, but that the Crown by its Prerogative, or the Parliament by its supreme and general Jurisdiction, may justly order and do some Things, which may affect the Property of the *American* Subjects, in a Way which, in some Sense, may be said to be independent upon or without the Will or Con-

sent of the People, as by Regulations of Trade and Commerce and the like; and by general Orders relative to and Restrictions of their Conduct for the Good of the Whole: For as the Colonies are so many Governments independent on each other, or not subjected the one to the other, they can only establish Regulations within and for themselves respectively; and as they are all subordinate to and dependent upon the Mother Country, and Propriety, Conveniency and even Necessity require that they should be subject to some General Superintendency and Controul, in order that the general Course of their Trade and Business should be so uniform as to center in some general national Interest, it becomes plainly expedient that there should be some supreme Director over all His Majesty's Dominions; and this Character and Authority, all Men must acknowledge and allow, properly belong to the *British* Parliament. Against the Exercise of such general Jurisdiction, for the common Interest and Advantage of the Mother Country and of the Plantations, collectively taken, the before mentioned Observations are in no Measure intended; for it is humbly conceived, that the Subjects in the Colonies may enjoy their Rights, Privileges and Properties, as *Englishmen*, and yet, for political Reasons, be restrained from some particular Correspondence or Branches of Trade and Commerce, or may be subjected therein to such Duties, Charges and Regulations, as the supreme Power may judge proper to establish as so many Conditions of enjoying such Trade. Reasons of State may render it expedient to prohibit some Branches of Trade and to burden others as aforesaid. And as such Regulations will doubtless appear, upon Examination, rather to be a preventing the Subject from acquiring Property, than taking it from him, after it is legally become his own, the Objections relative to such Establishment, ought to be only against those that may be supposed unequal, unprofitable, or not expedient, the Determination of which must nevertheless be left to the supreme Authority of the Nation. What therefore is designed to be urged from these general Principles of the *British* Constitution, is, that the Legislatures of the Colonies ought to be left entire, and that His Majesty's good Subjects in them should be permitted the continued Enjoyment of their essential Rights, Immunities and Privileges, which will not, as is supposed, by any Means be the Case, if the internal Taxations before mentioned should take Place. But if Restrictions on Navigation, Commerce, or other external Regulations only are established, the internal Government, Powers of taxing for its Support, an Exemption from being taxed without Consent, and other Immunities, which legally belong to the Subjects of each Colony, agreeable to their own particular Constitutions, will be and continue in the Substance of them whole and entire; Life, Liberty and Property, in the True use of the Terms, will then remain secure and untouched.

Objection.

On this Distinction it may perhaps be further said, by Way of Objection, that a Stamp Duty differs from a Tax, as it will oblige the Subjects only to pay for Paper, Parchment, *&c.* which they are at Liberty to use or not to use, at Pleasure; and so, if they chuse to make use of it, they voluntarily submit to the Charge, and can't be said to be taxed without their Consent.

Answer.

This by no Means will obviate the Arguments; for a Regulation which necessarily obliges a Man to part with any certain Portion of his Estate, amounts to the same Thing as the actual taking such Portion from him. It must be supposed that the People in America will buy and sell their Lands, nay, in a Multitude of Instances, they would not know how to subsist without such Dispositions: They will also be necessitated to give and take Obligations, and to use Paper for various other Purposes, or there will be of Course, so great a Stagnation of Business as almost to bring on a Dissolution of their civil and political Existence. These things will be found as necessary as the Use of Agriculture itself. They will therefore be as certainly taxed by a Duty charged on the Transfer of their Lands, as by a Tax laid directly on the Land itself. If Lands were to be taxed, it might as well be said, People are not obliged to have Lands (and indeed some have none) so that such as do acquire them, voluntarily submit to the Charge, which is really saying Nothing to the Purpose, for the Use and Improvement of Lands, Barter, and Transmutation of Property are as necessary in civilized Countries, as Food and Raiment are to the Body natural. Indeed the Supposition of the Necessity and certain Use of the Articles to be charged, can be the only Foundation to render a Revenue arising therefrom worthy of Notice, as otherwise the Effect would be altogether precarious.

5*thly.* Another Reason offered as an Objection against charging Stamp Duties, *&c.* in the Colonies, may be drawn from the Consequence of such a Measure, as it is most probable, if not certain, it will, in the Event, prove prejudicial to *Great Britain* itself. The Colonies and Plantations in *America* are, indeed, of great Importance to their Mother Country and an Interest worthy of her most tender Regard: The more they prosper and increase in Number, Riches and Commerce, the greater will be the Advantage not only to them but also to the Nation at Home. In the Colonies there is a Vent for and a Consumption of almost all Sorts of *British* Manufactures, and of many and various Kinds of Goods of the Produce of other Countries, first imported into *Britain* and from thence brought into the Plantations, whereby the Revenue of the Crown and Wealth of the Nation are much encreased, at the Expence of the Colonies; for these Goods the Colonies make Remittances with what Monies they are able to collect, in a Variety of their own Produce, and by circular Trade; and taking the

whole Trade together, it amounts to a very great Sum, the Profits of which in general center in *Great Britain*. If the Plantations are encouraged and prosper, this will be an increasing Interest and become more and more of Importance; but if Measures should be taken, which, in Regard to them, would have a natural Tendency to abate their Vigour, Spirit and Industry, or to turn them into some other Channel to supply the Necessaries of Life, what can be expected but a Decrease of the Colonies Wealth and Prosperity, and consequently a Decay of an important national Interest. And as, on the one Hand, depriving the Colonies of Part of their Powers and Privileges and rendering the Tenures of them and of their Liberties and Properties precarious, as by charging Stamp Duties or other internal Taxes upon them by Act of Parliament, *&c.* will naturally produce that unhappy Effect of causing the Colonies to languish and decrease; so, on the other Hand, upholding and continuing the Freedom of their Governments, maintaining their Authority, their Laws, securing their Properties, considering and treating their Privileges and Immunities as Matters too sacred to be violated, will naturally tend to invigorate, enliven and encourage the People, and keep up in them a Spirit of Industry in all Kinds of Dealing and Business, and of Emulation in the Service of their Mother Country, whereby they will become more able and zealous to promote the national Interest. This will doubtless be found almost universally to be the Case of a People where they enjoy Liberty, and their Lives, Properties and Privileges are secure, and the Reverse of it as generally to be the Consequence of a contrary Treatment; for what Encouragement hath the Merchant to expose his Interest to Chances and Dangers, the Farmer, the Mechanic and the common Labourer to weary themselves in their fatiguing toilsome Employments, if, after all, Part of their Estates (and how great a Part is to them altogether uncertain) may be taken from them, and in such Ways and Manner as they have heretofore been led to think are inconsistent with their essential Rights and Liberties? Surely then, if subjecting the Colonies to Burdens which will discourage and abate their Industry, will eventually prove disadvantageous to the Mother Country, and the charging of Stamp Duties or other internal Taxes on them, will, in the End, have that Effect (as has been endeavoured to be shewn and evinced) the taking such a Measure must be inconsistent with good Policy and the true Interest of the Nation.

6*thly*. Furthermore to enforce the Objections against Stamp Duties or other internal Taxations, it is conceived that a summary Representation of the Settlement, special Services and Circumstances of the Colony of *Connecticut*, may be here, with great Propriety adduced, from whence very cogent Reasons may be drawn in their Favour.

The first Settlers of the Colony, who were derived from *England*, their native Country, planted here in the Year 1636, and

having purchased their Lands, or rather a Right of Pre-emption of the Crown, or the King's Patentees, they were obliged to purchase the greatest Part of them again of the native Claimers, Possessors, and Proprietors of the Country, and some other Part was obtained at a much dearer Rate, which was by Conquest; for the People of these new Settlements, scarce of one Year's Date, and very small, were forced, for the Defence of their Lives and those Settlements, which in a fair and equitable Manner they had made, to enter into a War with the principal Tribe of *Indians*, then in this Part of the Country, who rose with all their barbarous, insiduous, crafty Force and Cruelty to rout these new Settlers out of the Country, as the first Effort of their set and declared Design to break up and prevent the Settlement of *New England*. Against this numerous and powerful Tribe, enraged with Jealousy at the *English*, these Planters, who were able to raise but about fourscore Men, took up Arms, and, by the Smiles of Heaven, in sundry severe Conflicts, overthrew, conquered and effectually subdued these their crafty, bloody and inveterate Enemies. And as this was the first *Indian* War in *New-England*, and issued so successfully on the Part of the *English*, whose Courage, Force and Conduct in War now became the Dread and Terror of the Natives throughout the Land, it laid a Foundation for Tranquility in general for almost forty Years after, which gave a most favourable Opportunity for the Settlements in the Country to multiply and increase in Strength and Vigour.

The Plantation and Settlement of the Colony, by the year 1661, being considerably increased, they made Application to the Crown for a Charter of Incorporation, with Powers of Government, founded on the general Principles of the *English*, now *British* Constitution, that is to say, that they might be governed with the Consent of the People represented in an Assembly composed of Members elected for that Purpose; and, in Consequence of such Application, King *Charles* the Second, in the 14th Year of his Reign, granted his Royal Charter to the said Colony, the Preamble of which is worthy of special Notice, as in it are these words, *viz.*

Whereas, by the several Navigations, Discoveries, and successful Plantations, diverse of our loving Subjects of this our Realm of England, *several Lands, Islands, Places, Colonies, and Plantations have been obtained and settled in that Part of the Continent of* America *called* New England, *and thereby the Trade and Commerce there hath been of late Years much increased: And whereas we have been informed, by the humble Petition of our trusty and well-beloved* John Winthrop, John Mason, &c. *being Persons principally interested in our Colony or Plantation of* Connecticut *in* New-England, *that the same Colony, or the greatest Part thereof, was purchased and obtained for great and valuable Considerations, and some other Part thereof gained by Conquest and with much Difficulty and at the only Endeavours, Expence and Charges of them and their Associates and those under whom they claim, subdued and improved, and thereby become a considerable Enlargement and Ad-*

dition to our Dominions and Interest there: Now, know ye, that in Consideration thereof," &c.

Hereby it appears that this Charter was granted upon valuable Considerations, which adds Weight and Strength to the Title on which the Claim of the Colony to the Rights, Immunities, and Franchises therein granted and confirmed are founded, for here are the Considerations of large Sums of Money advanced, Conquest made at the Expence of the Blood and Treasure of the Planters, eminent publick national Services performed and to be performed, and all to the Enlargement of the King's Dominions and for the Increase of the national Commerce, which the Charter is a clear and full Evidence of. The Powers and Privileges granted by this Charter were properly the Purchase of the People, and the granting was an Instance of Royal Justice to them, thô the Grace and Favour of the Crown assuredly ought to be and hath been at all Times humbly and gratefully acknowledged therein. Therefore as there really were valuable Considerations which were proper Foundations for such a Grant, it was doubtless judged to be for the Honour of the Crown to grant the Powers of Government with such ample and beneficial Immunities and Privileges as are allowed and given in and by the Charter aforesaid; and these the People indeed look upon as the Purchase of their Ancestors, as a gracious and royal Reward of the Merit and Services of their Forefathers, and as one of the best Inheritances they left to their Children; whether therefore it can be consistent with Law or Equity they should be deprived of such an Inheritance, or any Part thereof, may be worthy of serious Consideration: For if the Right of a single Person to vote in the Election of a Member of Parliament be so sacred in the Eye of the Law, that to deprive him of it, entitles to an Action at Common Law for his Damages and the Violation of his Privileges, as was adjudged in the House of Lords in the Case of *Ashby* and *White*, how sacred then ought the Powers, Privileges and Immunities of a whole Colony of Loyal People, of all the Freemen in it, to be look'd upon and considered? And of what Importance is it they should be defended and protected therein? As the Enjoyment of such Privileges and Liberties, of such a free Constitution of Government naturally tends to promote Loyalty and Obedience in a People, so the Inhabitants of the Colony of *Connecticut* (without arrogating) may, with the strictest Veracity, say and insist, that none of the Colonies in the *British* Dominions, have approved themselves more loyal and obedient to the King's Majesty, or more forward and zealous for promoting his Service, than they have constantly done. These Principles of Loyalty and Zeal, the natural Result of Liberty and Freedom, have influenced the Colony to exert itself with a becoming vigorous Spirit and Resolution in public and benevolent Services, whenever they have been called upon or applied to for that Purpose. It hath not only defended itself in its infant State against the violent Insurrections of the *Indians* who formerly lived near or dwelt among them, and at all Times down

to the present Day, against all its Enemies, but also, as it increased in Numbers and Strength, hath from Time to Time, afforded Aid, Succour and Relief to the neighbouring Colonies. It is found, by ancient Memorials, that the Colony of *Connecticut* united with, and at large Expence and to most remarkable Effect, assisted the other Colonies in carrying on the famous *Indian* War called the *Narraganset* War, which raged about the Year 1675, when (after a shocking Destruction of the *English* People, their infant Towns and Settlements) those Barbarians were totally subdued, and the distressed Country thereby saved from impending Ruin.

From the Year 1688 to about 1695, *Connecticut* at sundry Times and as Occasions required, furnished expeditious Aid and Succour to the Province of *New-York*, for the Defence and Protection of *Albany* and other Places, then exposed to frequent Irruptions of the *French* and *Indians;* in which Service, at the several Times of their Distress, were employ'd about five Hundred Men, at the Charge and Expence of the Colony, the Amount whereof appears to be about five Thousand Pounds. Within the same Times, Help and Relief were repeatedly raised and sent forward, with great Expedition, for the Defence of the Frontiers in the County of *Hampshire*, in the Province of the *Massachusetts-Bay*, which often happily tended to the Safety, Encouragement and Support of the People there, and was gratefully acknowledged and certified by some of the principal Men in those Parts. The Expence of these Services to the Colony of *Connecticut* (besides the Loss of Lives in several Encounters) amounted to near two Thousand Pounds.

It apppears also that the Colony of *Connecticut*, in the Years 1703, 4, 5, and 6, on repeated Alarms, occasioned by Irruptions of the Enemy, on the Frontier Towns and Places in the Province of the *Massachusetts-Bay*, raised and sent Numbers of Men for the Relief, Succour and Defence of the Inhabitants in those Parts. These Men were generally sent on Horseback for the Sake of Expedition, the Occasions being urgent, thô at some Times on Foot. And as those Alarms were frequent, the Succours were sent in about twenty several Parties succeeding one another. The Number of Men employed in those Services was about seventeen Hundred and of Horse near nine Hundred. And the total Expence occasioned thereby to the Colony (as may be still shewn by the Accounts thereof) amounted to near eleven Thousand Pounds. The Currency in those Times was about three-fourths the Value of Sterling Money. All these Services were voluntarily performed by the small Colony of *Connecticut*, for the Relief and Protection of their Fellow-Subjects in the other Colonies (one of which in particular was under the immediate Government of the Crown) without receiving either Money or any other Aid from the Crown, or from the neighbouring Provinces.

In the Expedition in 1710 against *Port-Royal*, now *Annapolis*, when it was taken from the French, and the costly disastrous Expeditions set on Foot against *Canada* in 1709 and 1711, the Colony

of *Connecticut* bore a full Proportion of Expence and sustained a very great Loss of Men. And the Colony failed not likewise of bearing a large Share in that memorable Expedition formed by the *New-England* Governments against *Cape-Breton*, in 1745, when it was reduced to the Obedience of the *British* Crown. This was a seasonable an important Conquest, and will not be forgotten, while the principal Articles which served as a Basis for restoring the Peace to *Europe* that followed it, are had in Remembrance.

But the more recent Instances of the Loyalty, Zeal and Serviceableness of the Colony of *Connecticut* are such as follow.

In the Year 1755, when Forces were raised by the Northern Colonies for removing Encroachments made on His Majesty's Territories in *America*, by the *French*, *Connecticut* raised a Thousand Men for that Service, and also two Thousand more the same Year to reinforce the Army at *Lake George*, then apprehended too weak to withstand the Enemy. This Number was two or three Times the proportion of *Connecticut* compared with some other Colonies concerned in that Expedition. In 1756 it raised two Thousand five Hundred Men, which was double the Number proposed by the King's Commander in Chief for the Colony's Proportion in the Service of that Year. This was done by the Colony as it was supposed the southern Colonies would fail of the Proportion allotted for them to raise; and lest the Service should suffer, it exerted itself in such duplicate Proportion. In 1757, the Proportion demanded by His Majesty's Commander in Chief, for the Service of that Year, being fourteen Hundred Men, the Colony not only raised that Number, but also, on Intelligence of the Attack on Fort *William Henry*, speedily sent forward about five Thousand of the Militia, for the Relief of that Fortress and Protection of the Country, then in great Consternation in those Parts. And in 1758 an Expedition was set on Foot for the Reduction of *Canada*, and the Colonies being called upon by the Crown, to raise as many Men as the Number of their Inhabitants would admit of; and as it was apprehended that in Case of Success, an End would be put to the War in these Parts by that Year's Campaign, *Connecticut* exerted itself beyond all former Efforts, in Hopes of its being the finishing Stroke, and accordingly agreed to raise five Thousand Men, and actually had but few short of that Number in the Field. But as this important Design failed of Accomplishment at that Time, the Colony, by Royal Direction, was called upon strenuously to exert itself in the like Service, in 1759, and even until the End of the War. And as what hath been done by the Colonies, on that extraordinary Occasion, in 1758, seem'd constantly to be made the Rule of Demand upon them afterwards, the annual Requisition of the Crown proved exceeding heavy upon the Colony of *Connecticut*, for it had indeed exerted itself vastly beyond its Ability, and any just Proportion in that Year; yet nevertheless they agreed to raise the Number demanded in every succeeding Year of the War, being spirited, as far as possible to yield the strictest Obedience to the King's Com

mands, and determined to persevere in his Service with the utmost Efforts. And in the present Year 1764, the Colony hath raised upwards of two Hundred and fifty Men for the Annoyance of the *Indians* and Protection of His Majesty's Subjects in other Governments. These Troops are now out on Service at the Direction of the King's Commander in Chief in *North-America*.

In these Services, from the Year 1755 to the Year 1762 inclusive, the Expences of the Colony, over and above the parliamentary Grants (which have been received with the most sensible and humble Gratitude) amounts to upwards of four hundred thousand Pounds; the large Arrears of which Sum will remain a heavy distressing Burden upon the People for many Years to come. Moreover several Thousands of the hardiest and most able young Men, the Hope and Strength of the Farmers, have been destroyed, lost, and enervated in the many distant arduous Campaigns, during the Course of this terrible War. The Husbandry of the Country (its only Resource) has suffered and still suffers extremely hereby; and the Colony will not recover itself from these Disadvantages in a long Tract of Time. And altho, by the Success of the military Operations in *America*, large, extensive and most valuable Acquisitions have been made to the *British* Dominions, yet the Colony of *Connecticut* gains Nothing thereby, further than as it may be said to be concerned in the common Cause and general Interest of the Whole. It had no Lands to recover or even to secure from the Enemy, as some other Governments had; it hath no immediate Trade with the *Indians*, nor will its Situation admit of any but what may, by some Individuals, be carried on through and so subject to the Controul of other Colonies. The Profits of this Trade have ever been mostly in the Hands of those whose Proimity gave them peculiar Advantages for it. Nay, instead of receiving particular Benefit by these Events, the Colony will rather suffer Disadvantages thereby; in the Emigration of its Inhabitants, already thinned, for Settlement of the vacant Lands in other Provinces, which are now secure from the Enemy who formerly annoyed them. Therefore Principles of Loyalty and Zeal for the King's Service, Principles of Benevolence, Humanity and Compassion for their Fellow-Subjects in Danger and Distress and the agreeable Prospect, a laudable Desire of enjoying Quiet and Peace, in Consequence of a general Tranquility in the Land, must be considered as the genuine Motives and Springs inducing the Colony of *Connecticut*, to exert itself in the Manner and to the Degrees before mentioned.

And now, when all these Things are duly considered and viewed in a proper Light, will it not be thought that the Colony has good Reason to hope and expect, in Return for and in Consequence of such Services, if not to be indulged with greater and more extensive Favours from the Crown and Nation, at least to be protected and secured in the full Enjoyment of the Rights and Privileges essential to the Freedom of *Englishmen*, instead of having those Rights curtailed or infringed, by charging on them a Stamp Duty, as proposed, or any other the like new and unprecedented Taxation.

OBJECTION.

Perhaps, after all that hath been offered, it will be objected by some that *America* ought, and is able to bear a just Proportion of the *American* Expence; and that as the Duty already charged will, they suppose, not be sufficient to defray that Expence, it becomes necessary to make Additions to the Duties already laid.

ANSWER.

1*st.* In order to obviate and answer this Objection it may be necessary to enter a little into a Consideration of the Occasion and Nature of those Charges which, by some are denominated *American* Expences. That Expence which is occasioned merely for the Defence and Protection of the new Governments and Acquisitions, it is conceived ought not to be charged upon the Colonies in general, as it is truly no other than a national Interest, or an Interest of the particular new Governments or Acquisitions, and consequently ought, where it is not purely national, to be laid on those whose immediate Profit is advanced thereby. The old Colonies, especially *New-England*, were at the sole Charge of settling and defending themselves, and that they should now be compelled to contribute towards settling others, under much better Advantages in that Regard than they were, will not fail of being esteemed hard and injurious. If the Expence arises in defending and securing the Fur Trade and the Out-Posts requisite for carrying on the same, to oblige these Colonies which receive no immediate Advantage by it, to bear a proportionable Part of the Burden, will also be hard and unequal, and especially if that Trade is sufficiently profitable to support itself. if otherwise, why is there so much Care and mighty Attention constantly exercised towards it. If the Expence occurs in holding and protecting the new and large Acquisitions, wherefore should the Colonies bear that, when they have no Interest in them? they do indeed properly belong to the Crown, and will finally be disposed of and settled for the Benefit of the Crown and the Nation in general, and not for the Advantage of the Colonies in particular. But,

2*dly.* What *America's* proportionable Part in the *American* Expence will be, is somewhat uncertain and difficult to determine: And in order to form any tolerable Judgment in the Case, it will be necessary to consider the Wealth of the Colonies, compared with the Mother Country; their Number of Inhabitants, compared with the Extent of their own Country; the Nature of their Climates, in some of which the Cold Seasons are of such long Continuance, as to occasion a Consumption of the greatest Part of their Produce, their Trade and Commerce, the Profits of which in general center in *Great Britain;* their Business, Advantages and Disadvantages and other Circumstances, such as their being, in a general Way, obliged to spend so great a Proportion of their Labour in clearing, fencing and preparing their Lands for Improvement; and that the Surplus of their Labour, in many Instances, is but very little and

in some Nothing at all. The clear Profits therefore to the Colonies being so very inconsiderable, it must surely be found, on a just and reasonable Computation, that their Proportion of any general national Expence, if any Thing, will be very small. But,

3*dly*. If, notwithstanding, it shall be judged necessary (which is even a difficult Supposition) to make an Addition to the Charges on *America*, yet it is humbly conceived, for the Reasons already offered, it will not by any Means ever be thought proper or just in order to effect that Purpose, it should be done in a Way that shall be an Infringement on the Constitutions of the Colonies, or that will deprive the Subjects in them of some of those important Liberties and Privileges, which, as *Englishmen* and Freemen they so justly value, and have a legal and equitable Right to, as well as the Rest of their Fellow-Subjects. Revenues are never raised in *Great Britain* by a Violation of the Constitution or any Part of it, but the Liberties and Privileges of the Subjects are always saved and maintained in those Cases; and why the *Americans* should not value their Privileges at as high a Rate as their Fellow-Subjects in *Great-Britain* do theirs, and wherefore the same Justice is not due to the one as to the other, what sufficient Reasons can possibly be assigned? Therefore whatever may be done in this Matter, it is humbly trusted will surely be effected in such Manner as to leave the Legislatures of the Colonies entire, and the People in the full Possession and Enjoyment of their just Rights and Immunities. This, it is conceived, might be effected by a Duty (if thought necessary and proper) on the Importation of Negroes, and on the Fur Trade, *&c.* for althò that on Slaves may and doubtless will fall with most Weight where the greatest Numbers are imported, yet will none be charged thereby but such as voluntarily submit to it; and was such Importation lessened, which might indeed be some Disadvantage to a few individuals, yet probably it would be attended with many salutary Effects, both with Respect to *Great Britain* and her Colonies in general. And as a principle Article of the Expence in *America* must be for protecting and securing the Fur Trade, what good Reasons can be adduced wherefore that Trade should not be so charged as to support itself? for (as hath been already hinted) if it will not bear this Charge, why is it still held and maintained at such great Expence?

Having thus shewn that the English *are a free People; that their Freedom consists in these general Privileges, that* No Laws can be made or abrogated without their Consent by Representatives, *and for that Purpose have Right to elect their Representatives; that the* American *Colonists are as really the King's Subjects, as loyal, and have as much Right to the general and fundamental Privileges of the* British *Constitution, and to Protection in the Enjoyment thereof, as the Rest of their Fellow Subjects in the Mother Country; that, in Consequence hereof the Colonies and Plantations in* America, *according to the general Principles of the national Constitution, are vested with Authority of Legislation, and have Right to be represented in their Assemblies,*

in whom that Authority is lodged, and with whose Consent they are to be governed by the Crown; that for the Crown to govern these Colonies and Plantations by and with the Consent of the People in such legislative Assemblies, is properly and truly to govern them agreeable to the national Constitution, or that it is as conformable to the fundamental Principles of the British *Government that the Subjects in the Colonies should be represented in Assemblies or legislative Bodies, as that the Subjects in* Great Britain *should be represented in Parliament or the supreme Legislature of the Nation, and that the Government of the Subjects, with the Consent of their respective Representatives, is founded on the same general and essential Principles of Liberty: That charging Stamp Duties, or internal Taxes on the Colony by Authority of Parliament, will be inconsistent with those Authorities and Privileges which the Colonies and the People in them legally enjoy, and have, with the Approbation of the supreme Power of the Nation, been in the Use and Possession of for a long Course of Years; as also the Probability that such Measures will, in the Event, prove prejudicial to the national Interest as well as hurtful to the Colonies, together with some Matters and Circumstances more directly and peculiarly in Favour of the Colony of* Connecticut, *and the especial public and benevolent Services performed by it on many Occasions, which may justly merit some favourable Considerations; and answered such Objections as might probably be made against the Tenor of the Reasonings and Representations herein offered and laid down; it is now concluded, that on the Account of these and such other weighty Reasons as may occur, a* British *Parliament whose Design is to keep up that Constitution, support the Honour and Prerogative of the Crown, and maintain the Privileges of the People, will have a tender Regard for the Rights and Immunities of the King's Subjects in the* American *Colonies, and charge no internal Taxations upon them without their Consent.*

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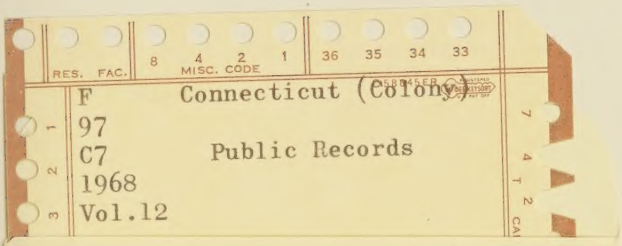

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